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INTER ARMA CARITAS

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FOUNDED IN 1863**

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An independent humanitarian institution, the ICRC is the founding body of the Red Cross. As a neutral intermediary in case of armed conflicts or disturbances, it endeavours on its own initiative or on the basis of the Geneva Conventions to protect and assist the victims of international and civil wars and of internal troubles and tensions, thereby contributing to peace in the world.

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*Suspension of the government delegation
of the Republic of South Africa
at the Twenty-fifth International Conference
of the Red Cross
(Geneva 1986)*

**DIFFERENT PERCEPTIONS
OF THE SAME EVENT**

by Jacques Moreillon

The author is Director General of the International Committee of the Red Cross; the present article is a personal contribution and is in no way binding on the ICRC.

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A great many of the conflicts which ravage our continents, countries and societies, at every level, are due to the fact that we do not try—because we do not dare to try—to put ourselves in the place of other people. However, there is no other way to establish a minimum level of mutual confidence, without which no agreement and indeed no common life is possible.

André Fontaine
Le Monde, Paris
27 January 1987

A conflict of opinions is not a catastrophe, but an opportunity.

Alfred N. Whitehead
(1861-1947)

1. INTRODUCTION

In our opinion, the most important event at the Twenty-fifth International Conference of the Red Cross was its adoption of the new Statutes and Rules of Procedure of the International Red Cross and Red Crescent Movement. These new texts are the outcome of a suggestion by the League and almost four years of negotiation with the ICRC. They set out guidelines for the Movement for the span of at least a generation, and the fact that they have been adopted by consensus is a guarantee of their soundness and their durability.

Besides these new Statutes, the International Conference adopted—likewise by consensus—some thirty resolutions which evidence the dynamic strength, the vitality and independence of the Movement, and its extensive links with the States party to the Geneva Conventions. Composed of delegations from those States, from the National Societies duly recognized by the ICRC, from the League and from the ICRC itself, the Conference has once again shown itself to be that unique and privileged place where the International Red Cross meets governments on the basis of the Geneva Conventions, which are at once their common denominator and their common heritage.

However, what public opinion will probably remember most about this Conference is the suspension of the government delegation of the Republic of South Africa, for after a point of order raised by the Kenya government delegation on behalf of the African Group at the Conference, the latter agreed, by an open vote and a simple majority, that the South African Government delegation be suspended. *

While we feel that an article on this event is justified, it is in no way intended to re-open past wounds but on the contrary as an attempt to help them heal, in the greater calm and detachment of subsequent reflection.

Indeed, this majority decision by the Twenty-fifth International Conference of the Red Cross to ban the South African government delegation from participating in its work was regarded in very different ways within the International Red Cross and Red Crescent Movement. It was considered by some as a success and by others as a failure. What strikes the observer is this extreme diversity of views within a Movement whose components bear the same name and declare their adherence to the same Principles, the same Statutes and the same international humanitarian law. However, as the President of the ICRC stated in his closing address to the Conference: "*... however troubled our hours together may have been, they cannot possibly keep us divided and lead us to resignation, for we do not have the right to doubt either the importance of our mission or the strength of the Red Cross and Red Crescent ideal*".

One way to prevent the division which appeared at the Twenty-fifth International Conference from continuing and even becoming more accentuated is for everyone to try and better understand the opposing view—even without being able to share it—by attempting to see how others saw the same event. We can try to put ourselves in the place of others, to demonstrate our empathy with them, without having to renounce our own convictions. Until we can hope to reach a consensus on the fundamental subject, a conscious effort can certainly be made to understand better the attitudes and reactions of all members of the Movement—if we really want it to remain a Movement.

To promote such an undertaking is the purpose of this paper, in which we shall try to present as perceptively, clearly and completely as possible the way all the various sides felt about the suspension of the South African government delegation. In doing so we shall not be distracted by the ins and outs of the procedures followed—even though the difficult procedural questions undoubtedly affected the atmosphere of the discussions—but will

* The text of the motion reads as follows: "*... that the representatives of the Government of the Republic of South Africa be suspended from participating in the Twenty-fifth International Conference of the Red Cross.*"

take up the **fundamental** arguments used by those “for” and “against” the decision finally taken by the majority.

Finally, we wish to stress that in writing this text, the author—engaging in personal reflection—has sought to be as impartial an observer as possible. He has made a particular effort to show the maximum objectivity in recounting those arguments with which, personally or institutionally, he was least in agreement. At the same time he has tried not to give more weight to elements and arguments which he himself found particularly pertinent.

*
* *

2. SUMMARY OF THE ARGUMENTS FOR AND AGAINST SUSPENSION

2.1. Arguments for suspension

The principal arguments of those who spoke in favour of suspending the South African government delegation can, we feel, be summarized as follows:

2.1.1. Apartheid is a crime against humanity

Apartheid is a crime against humanity, an **institutionalized and openly declared** violation of the Principle of humanity which is the first of the Fundamental Principles of the Red Cross; it is a systematic debasement of human dignity.

2.1.2. South Africa is barred from all other organizations

The condemnation of apartheid is universal and its “Government” is barred from all international bodies. It must also be barred *a fortiori* from the International Conference of the Red Cross.

2.1.3. The Conference is competent to decide

The Conference is competent to take this decision, in particular for the following reasons:

- **first**, the South African Government is representative of only a minority of the population of its country, hence its “representatives” at the Conference do not “represent” this population as a whole;

- **second**, the Conference is the only body competent to interpret its own Statutes. The absence of a specific statutory provision on expulsion or suspension of a member must not be interpreted as a statutory impossibility to expel or suspend, but rather as a point which is left to the Conference to decide freely;
- **third**, this decision is in conformity with the Red Cross Fundamental Principle of humanity which was proclaimed by the Conference itself in 1965.

2.1.4. Respect for the Fundamental Principles of the Movement

A State which institutionally rejects the very essence of one of the Fundamental Principles of the Movement cannot possibly participate in the Conference of that Movement. Even if States are not themselves bound by them in the same manner as the components of the Movement, they cannot dissociate themselves from these Principles in a permanent and formal manner and nonetheless claim to continue taking part in a conference which has solemnly proclaimed and adopted them.

The new Statutes go farther than the previous ones and incorporate the Principles in their Preamble. Even though other States are probably rather lax in respecting some of the Fundamental Principles, the difference is that there is no other State which pursues an official policy of institutionalizing racial discrimination.

2.1.5. It is not only a matter of law

The question goes beyond law; it involves fundamental ethical principles and touches on a historic symbol of all forms of discrimination; in deciding as it did, the Conference wanted to respond to an age-old injustice. Apartheid offends a keen sensitivity which cannot but be taken into extensive account. We must put ourselves in the place of the Africans whose black brothers do not have the same rights as the Whites, because of the mere fortuitousness of birth.

2.1.6. It is a situation which does not create a precedent

The case of South Africa is unique. No other State sets up racial discrimination as a principle of government. No other government is systematically rejected by all international bodies. The argument justifying the suspension of South Africa from the International Conference of the Red Cross cannot therefore be used *vis-à-vis* other States or governments.

It should also be emphasized that in other international fora the suspension of South Africa has thus far not been used as a precedent.

(On the point that the proposed suspension would not create a precedent, some speakers at the Conference expressed themselves in less absolute terms).

2.1.7. The Principle of universality remains intact

The suspension does not in any way violate the Principle of universality of the Movement. The universality of the Red Cross and Red Crescent, of their ideals, in no way implies the existence of a “principle of universality of participation in International Conferences of the Red Cross”. Were universality to be interpreted so literally, the inevitable conclusion would be that such “universality” has never existed, since there are other entities which could claim to be States and governments but are absent from the Conference.

2.1.8. The loss of universality is the fault of South Africa, not of the Conference

The intrinsic unity and universality of the International Conference of the Red Cross rests in universal adhesion to shared and essential principles. However, on absolutely fundamental matters, the Republic of South Africa specifically proclaims its refusal to adhere to such principles. So, with or without suspension, this government places itself outside the ideals of the Conference. Accordingly, the suspension as such, which is nothing more than a symbolic and visible manifestation of an already existing circumstance for which South Africa is entirely responsible, merely acknowledges an existing division. In other words, such a decision by the Conference does not cause any loss of unity or universality; it merely places that loss on record, with the regrets of all.

2.1.9. It is not a political question

It is not a political decision and the Principles of neutrality and impartiality cannot be invoked, nor those Articles of the Statutes which forbid the Conference to deal with political questions.

2.1.10. It does involve the credibility of the Conference

If the Conference had **not** decided in favour of the suspension which had been proposed to it, it would have lost all credibility in

the eyes of the majority of countries and of the peoples of the world.

2.1.11. The decision moves in the direction that history is moving

This is a historic decision which demonstrates the capacity of the Movement to meet the legitimate expectations of today's world. The decision is historic above all because it proclaims for the first time a moral demand of the nations of the world as a whole, denouncing an inhumanity which only yesterday would have been passed over in polite diplomatic silence but today can no longer be tolerated.

2.1.12. The South African Red Cross may remain

This is a carefully qualified and moderate decision because it makes a clear distinction between the South African Red Cross, whose presence at the Conference is accepted, and the government delegation. Thus, the advocates of suspension demonstrate their intention not to reply to apartheid by a kind of tit-for-tat retaliation.

2.1.13. It is no more than a suspension

This decision is limited in terms of time. The day when the South African Government renounces apartheid it can return to the Conference.

2.1.14. The "walk-out"

For many delegations, African in particular but others as well, the aversion and revulsion inspired by apartheid are so strong that the non-suspension of South Africa from this Conference would have obliged them as a matter of conscience to withdraw from the meeting.

This does not constitute a threat or boycott but is merely the recognition of an impossibility. Today, the honour and dignity of an African no longer permit him to sit beside people who are the direct representatives of the leaders responsible for apartheid, a crime "against humanity".

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2.2. Arguments against suspension

The principal arguments used against the suspension were the following:

2.2.1. The subject of the discussion is not apartheid

All the participants who spoke against the suspension of the South African government delegation simultaneously denounced apartheid, while stressing the fact that the question was not one of condemning apartheid nor even South Africa, but instead of determining whether the Conference could challenge the presence of **any** State party to the Geneva Conventions or dispute the representative character of the government of that State.

So although all agree on the condemnable nature of apartheid, not all draw the same conclusions. Those in particular who find that the South African Government should be excluded from **all** international bodies, since the extent to which it is representative of the nation is exceptionally small, should also draw the legal conclusions: this "government" would then have no legal capacity to be party to treaties under international law and consequently would not be bound by the Geneva Conventions and the obligations they entail. Is that what we want? Even for those most shocked by apartheid, some doubts at least are permissible.

2.2.2. The prestige of the Red Cross and Red Crescent Movement is not where some believe it to be

The Movement was born of a common desire to alleviate the suffering caused by war and other forms of conflict. Accordingly, it is within the Movement, by definition, that even violently hostile antagonists should be able to come together, because it is thus that one of the essential purposes of the Red Cross can be accomplished.

In times of conflict, it is "natural" for each party to hate the adverse party and hope for its military defeat. Passions may easily run so high that the enemy of the moment is considered the worst of all possible enemies. Within the Movement, however, it is essential that at this very peak of passions the dialogue must not be broken, because this is the most vital time of all for application in practical terms of what the Red Cross has led the hostile powers to commit themselves to.

Created to act in time of war, the Red Cross finds its true prestige in time of war and in the simultaneous presence within it of all,

friends **and** enemies. Without this capacity, the Movement would be nothing but another pious and well-meaning association, failing to fulfil its vocation of humanity in universality.

2.2.3. Suspension is contrary to the Statutes

The Statutes of the International Red Cross do not provide for the possibility of suspending a State or challenging the representativity of its government.

If such a possibility had been envisaged, it would certainly have required a specific procedure and a qualified majority.

Conversely the Statutes do give an unrestricted and unqualified right to the delegations of all States party to the Geneva Conventions to participate in the Conference.

No organization has the right to violate its own Statutes, even by a qualified majority and even by a secret ballot, and much less by a simple majority and vote by roll call. The only admissible approach in this case would be that leading to an amendment of the Statutes, in accordance with the procedure and by the qualified majority required to do so.

Therefore, this suspension is contrary to the Statutes. It follows that the Movement may henceforth no longer be able to depend, in any domain, upon the protection of its own laws.

2.2.4. A dangerous precedent

Having created this precedent, the Conference could in future suspend any delegation whatsoever or violate any Statute whatsoever, and do so by a simple majority.

To regard the present suspension as a potentially dangerous precedent is neither a leap of the imagination nor an example of excessive pessimism. Although any regime condemned by virtually all nations for various characteristics is hence bound to be unique in certain ways, the fact remains that many profoundly inhuman regimes have appeared throughout history at relatively brief intervals. Accordingly, no one can certify today that this suspension will not be invoked in future by others to justify other suspensions or exclusions, and for other reasons.

2.2.5. The interest of the victims

Above all, the Conference should have at heart the interest of the victims whom it is the mission of the Red Cross and Red Crescent

to protect. A decision to suspend a government can only harm those whom the Red Cross and Red Crescent—and in particular the ICRC—must at all times be capable of protecting. In Red Cross terms, this means **all** victims, both present and future: it would be inconceivable for us to distinguish between “good” and “bad” wounded, or between “good” and “bad” prisoners and apply different treatment to them accordingly.

What would happen if South Africa—suspended from the Conference although remaining party to the Geneva Conventions—were to consider itself released from its commitments under these treaties? Or simply if it were to attribute—even without valid reason—the responsibility for its suspension to the ICRC?

2.2.6. Universality and respect for humanitarian law

Humanitarian law is universal, inherently and by definition. To suspend a State which has signed the Conventions, and which thereby alone has gained the right to participate in the Conference, amounts to a denial of the very basis of its entitlement to take part in the work of the Movement’s supreme body. This basis is specifically and uniquely the fact of being party to the Geneva Conventions. Can we expect a State to recognize its obligations under the terms of a ratified treaty if the international community contests its exercise of the rights which derive from this ratification?

2.2.7. This suspension violates the Principles of neutrality, impartiality and abstention from politics

The Principle of neutrality demands that the Red Cross abstain from taking sides in any controversy, especially one which is political, since it must have the confidence of all sides and be able to act everywhere, without discrimination and with complete impartiality.

The suspension violates this Fundamental Principle which has preserved the existence of the Movement for more than a century, since it is carried out in the context of a conflict. The conflict may perhaps be legitimate, but it is not for the Movement as such to recognize that legitimacy because it remains bound by its principles *vis-à-vis* all, whether the cause of a power is just or unjust.

2.2.8. The politicization of the Movement

This precedent of *in-casu* politicization presents the danger of a successive shift within the Movement towards a **general** politicization which would divest it of its specific Red Cross character and hence its efficacy in humanitarian action.

2.2.9. The Red Cross must remain the ultimate place for dialogue

The Red Cross is by its very nature **the** place for dialogue between hostile powers, whether they are currently belligerents or not. Here in the Red Cross and Red Crescent, however great the disputes may be, there is a common agreement to preserve minimum standards of humanity. The Conference of the Red Cross must be a place of truce amidst the sea of conflicts, a moment during which enmity is superseded by humane consideration. If the International Conference can no longer provide such a place and offer such a moment, there will be no other place which can do so and the Red Cross will have lost one of its reasons for being.

The delegation of the Government of South Africa must be able to sit at the Conference, if only to hear criticism of its system. There must be an exception for this forum to the general policy of exclusion pursued against this Government. The world needs at least **one** universal organization.

From this point of view the desire to align the Red Cross with other international organizations from which South Africa has been excluded or suspended does nothing to enhance the prestige of the Conference. On the contrary, the Movement derives its authority from the fact that it is **fundamentally different** and it can only lose by becoming "just like the others". If it were not essential for the Red Cross not to belong to the UN, there would be practically no reason why the Movement should not simply dissolve itself and turn over its functions and mission to the UN Secretary General or General Assembly.

2.2.10. The Red Cross exists to help and not to condemn

The purpose of the Red Cross and Red Crescent is to help and not to condemn. It must be able to help victims everywhere, which implies moderation in its criticisms. This does not prevent other bodies or organizations from condemning. Can one really claim to help and to condemn in the same country? The UN for instance,

and human rights organizations, can legitimately condemn. But the Movement is meant to be universal **in its action** and must be able to act everywhere, without the victims it is seeking to assist and protect having to pay for its condemnations.

2.2.11. The Movement's image

In carrying out this suspension, the Movement compromises its image as a neutral and non-political institution and also loses credibility, particularly among hundreds of thousands of volunteers who have adhered to it precisely because of its concrete non-political, purely humanitarian, neutral and non-discriminatory action.

These volunteers are convinced of what the Red Cross really is and what it is for, and why, unlike other fora, it is precisely at the height of antagonism and hatred that its meetings take on their full significance. Alongside those who, doubtless legitimately, wish to be able to condemn, these volunteers have chosen the Red Cross for the very reason that it means to conduct its humane activities in a spirit of neutrality and impartiality.

Knowing that a large-scale conflict between South Africa and its neighbours may be imminent, there is only one conclusion to be reached: **now** is the time to ensure, by every possible means, that South Africa is represented at the Conference, at the precise moment when it may find itself faced with the obligations it has undertaken to fulfil by ratifying the Geneva Conventions.

These are the reasons why some considered this suspension as an incipient decline of the Movement.

2.2.12. The double standard

Are not some of those who demand the suspension of South Africa themselves responsible for grave violations of human rights and humanitarian law? Who judges the judge? Is not a double standard being applied, which public opinion cannot fail to see?

2.2.13. The procedural aspect

Even were it possible—and it is not—to ignore the illegality of the decision in the light of the fundamental issue, at very least the fact remains that the vote should have been secret. An imposed public vote can be an intolerable ordeal of conscience. Moreover, the

insistence on having the vote taken this way has led more than one person to think—rightly or wrongly—that with a secret ballot the results could have been different to those of the open vote. Also the representative of the “accused” government should have been given the floor to present its “defence”. The comment was heard that “when an assembly sets itself up as a court of justice, it ought to respect the elementary procedures”.

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3. CONCLUSION: THE SITUATION AFTER THE CONFERENCE

3.1. Taking stock

The task of assessing the event, so that lessons can be learnt for the future, lies primarily with the Standing Commission of the Red Cross and Red Crescent.

The ICRC has prepared itself for the coming discussions, which may be expected to extend throughout the Movement both informally and formally. For this purpose it has studied everything it has been able to gather on the subject in the national and international press. It has discussed the matter with a score of diplomatic representatives directly concerned, especially those present in Geneva; it has had talks and has corresponded with several National Societies, most often on the initiative of these Societies; it has asked its delegates in some forty countries to engage in similar analyses with their interlocutors, both governmental and representatives of National Societies. In addition, it has carried out a detailed internal discussion.

All this combined has produced a very detailed picture, comparable to that of the Conference itself, but perhaps less clear-cut and with more nuances. At the risk of the kind of imprecision which is inherent in any generalization, we may extract the following significant elements:

3.2. Public opinion

In general, a distinction must be drawn between government reactions and those of the National Societies. The former are colder, the latter are often more emotional. For some National Societies, particularly those of the "Western" countries, including Australia and New Zealand, public opinion and especially **their** public opinion is decisive. In this connection, it is interesting to know that whereas the media in these countries have given considerable coverage to the event, much less was devoted to it in most other countries. Quite naturally, the particularly "telegenic" picture of the South African ambassador throwing down his badge as a member of the Conference on the table in front of the chairman appears to have been shown on television screens in many countries. On the other hand, the suspension of South Africa was usually treated by the press in Third-World countries as a mere item of information, with little comment. The ICRC found only a dozen or so newspapers in these countries which gave any detailed comment on the event, and most of these comments expressed their approval of the suspension. This is in great contrast to the volume of news coverage and comments in the newspapers of "Western" countries, which fill several filing boxes. In these countries, both the news and commentaries on it hit the headlines in most newspapers, and in virtually all cases the decision was criticized and the politicization of the Movement was denounced.

It should be noted in this connection that several African diplomats consider that the Western press "dramatized" the event and tended to present South Africa as a "martyr", without sufficiently stressing the favourable compromise constituted by the maintenance of the South African Red Cross in the Conference and the official support given by sister societies in Africa to the South African Society.

Analysis shows that this "dramatization" of the event in the "Western" press is due at least as much to questions of procedure as to those of substance. The refusal of a secret ballot and denial of the floor to the South African representative were regarded as violations of fundamental democratic rights and as an infringement of the National Societies' independence, and therefore gave rise to comments which were often more sharply critical than those concerning the suspension itself.

Even if these procedural aspects are dismissed, even though it is important for us neither to dramatize the situation nor to exaggerate its importance, and even though an attempt is being made to overcome the gap created at the Conference, it is nevertheless essential to make a sound analysis and not turn a blind eye to the distance which separates the two principal trends within the Movement. In this respect, the "public opinion" factor is decisive. For in the countries opposed to the suspension of South Africa, the National Societies are directly dependent on public opinion for their support, in particular financially but also and above all in the broadest possible sense. This support is largely based on the conviction that "Red Cross = neutrality = non-political = pure humanitarianism", an image seriously undermined in public opinion by the Conference, as evidenced for example by scathing caricatures in some newspapers. In the countries—mainly African—which voted for suspension, even though public opinion is not expressed in the same way, it must nevertheless be taken into account . . . but of course in reverse manner. A member of an African Red Cross Society said, for example, *"it would have been possible as at Bucharest in 1977 or Manila in 1981 to abstain from raising the question of the presence of South Africa and, in our country, perhaps nobody would have reproached us. However, once the question was raised, the whole Movement would have lost its credibility in Africa if the Conference had not suspended the Government of Pretoria, and our people back home would not have understood if we had voted other than for the suspension"*.

For a great many National Societies in "Western" countries, these events provided the opportunity to remind the **public in general**, as well as members of those Societies, what their Red Cross does, what neutrality means, and in certain respects to make up by active public relations work for the members' resignations which had been submitted in the heat of the moment.

3.3. Was it a precedent?

Another subject of concern to many people is whether or not this suspension has created a precedent.

The President of the ICRC has said that this situation without precedent must not constitute a precedent.

If the South African Government wishes to participate in the next International Conference, its suspension will probably be requested

again, unless there have been substantial political changes in that country. The real question of a precedent, however, is whether the "exception" constituted by the suspension of South Africa will be cited sometime in the future to demand the suspension of another country. Since the **material** motive for the suspension was the non-representativity of the South African government delegation, what other delegation in the future may not see its own "representativity" questioned?

These are typical of the concerns now being expressed in some diplomatic circles. The latter are, however, almost unanimous in agreeing that at the next International Conference of the Red Cross and Red Crescent, as at that of 1986, the governments will tend to follow current United Nations practice. In other words, as one of them put it "the Red Cross has no reason to fear that problems of participation will arise other than those experienced in the United Nations". This seems to imply that another suspension at the United Nations would logically be followed by the same effects at the International Conference of the Red Cross and Red Crescent.

In fact, only two delegations at the Conference have explicitly stated that the case of South Africa could—or even should—create a precedent. The great majority of the other delegations which advocated suspension insisted, on the contrary, on the **unique** character of the South African regime, which they emphasized was "the only one in the world which institutionalizes racial discrimination as a system of government". This is a point of view which many African diplomats still maintain to this day, not only to explain their attitude at the Conference but also to make it clear that in their opinion the decision taken at Geneva cannot create a precedent for any other country.

Another point is also often emphasized in subsequent analyses of the event, namely that the reason cited for suspension was apartheid and **not** any allegation of failure to respect humanitarian law. This seems very important to us because if the suspension had been justified by failure to respect the Geneva Conventions, it would have been impossible not to consider it as the source of a precedent which might well have justified a great many empty seats at future Conferences. This was not the case, however, and although the Conference decision can be said to have had a political character as regards the representativity of the South African delegation, it had no such character as regards humanitarian law *pro se*.

Similarly, the bulk of the argument **for** suspension was rarely of a

legal nature and there was relatively little reference to the Statutes, which increases the difficulty of citing this as a precedent and tends to confirm the unique nature of the decision.

3.4. Positive aspects of the crisis: a more tranquil view of the situation

Discussion on the suspension of the South African government delegation took up a disproportionate amount of time at the Twenty-fifth International Conference of the Red Cross. But this time was not wasted. It not only revealed differences of opinion but also concordant opinions. For example, all the delegations which took part in the discussion condemned apartheid. Those who spoke against suspension of the South African government delegation cannot be regarded as advocates of apartheid.

It is also clear that those who advocated the suspension had no desire whatsoever to hamper the work of the Red Cross in South Africa. This work, for the benefit of victims of the situation, is recognized as more necessary than ever. Here again there is unanimity. The humanitarian and non-political activities of the South African Red Cross and the ICRC in South Africa will be observed with great interest and will be unreservedly supported.

Finally, every crisis, including the one which marked the Twenty-fifth International Conference, should give rise to in-depth consideration of the objectives of the Movement and the means of reaching them. It can result in a dialogue and a heightened awareness which, without the crisis, might not have come about. This dialogue and new awareness should be beneficial for the future of the Movement.

The situation may be quite different at the next International Conference of the Red Cross, but it may not differ appreciably from the one we have recently encountered. However, without yielding to any exaggerated optimism, we believe that with the experience gained at the Twenty-fifth Conference, the goodwill on both sides and the help of the revised Statutes and Rules, it will be possible to avoid a repetition of the October 1986 situation, in any case procedurally, for we do not doubt that the Standing Commission and the host Society will take the Geneva experience into extensive account to prepare for the Twenty-sixth Conference.

To sum up, by holding the International Conference in Geneva for the first time since 1925, the Movement could be said not only to have returned after half a century to the city of Henry Dunant and the cradle of the Red Cross, but also to have rediscovered the other Geneva, that of the United Nations European Headquarters. In other words, the humanitarian Geneva met the Geneva of great debates and political passions, and perhaps the Movement's rallying to an international community already mobilized and politically unanimous on the struggle against apartheid was then all too inevitable. The unique, exceptional nature of what happened last October, and hence the limited extent to which it can serve as a precedent, stems from that particular set of circumstances.

By restoring things to their true perspective and thanks to the Movement's keen sense of responsibility, testified by the broad consensus with which the Conference adopted its decisions, it can be hoped that the spirit of humanitarian Geneva will in time prevail in the wake of that eminently political decision.

We have sought to outline and consider the various points of view. From that consideration there emerges the paramount concern of some for humanitarian law and the Principles which derive from it, and the bolder, more assertive ambitions others have for that same law and principles.

At the next Conference, therefore, everything possible should be done to strengthen the Movement's unity in its pursuit of its intrinsic objectives, and to ensure that this recent experience, replaced in context and thus better understood and assimilated, proves purely beneficial for international humanitarian law and the victims it is intended to protect.

The will to accomplish this certainly exists on both sides. Moreover, reliance can be placed in the new guarantees and structure provided by the revised Statutes and Rules of Procedure which, by their fundamental nature, will ultimately be the most important element of the Twenty-fifth International Conference of the Red Cross.

Jacques Moreillon

ASPECTS OF DISSEMINATION

The year 1977 may be considered a turning point for the dissemination of knowledge of international humanitarian law and the Principles and the ideals of the International Red Cross and Red Crescent Movement. If we briefly review events of that year, we see that from 21 to 30 March 1977 the first European Red Cross Seminar on the Dissemination of the Geneva Conventions, organized by the Polish Red Cross and the ICRC, was held in Warsaw. Representatives of European and North American National Societies and of the ICRC and the League attended the seminar which adopted the following principles:

« Although dissemination of knowledge of international humanitarian law is a responsibility of governments, it should be a direct concern of the Red Cross in general and particularly of each National Society in its own country.

The dissemination of the Red Cross ideals must not be limited to the Geneva Conventions but should cover Red Cross principles and be included within the broad concept of man's responsibilities to man.

Dissemination cannot be dissociated from the propagation of a spirit of peace by all members of the Red Cross family. Dissemination should never make war appear "acceptable"».

These principles, which were ratified by the Twenty-third International Conference of the Red Cross (Bucharest, October 1977), have ever since guided the dissemination activities of all the components of the Movement.

Dissemination, which is primarily the responsibility of governments, has of course been one of the main concerns of the ICRC and many National Societies from the very beginning; but there can be no doubt that the recommendations adopted in 1977 by Red Cross Conferences, the adoption of the Protocols additional to the Geneva Conventions by the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law applicable in

Armed Conflicts, as well as Resolution 21 on dissemination,¹ adopted by the same conference, gave decisive impetus to the process of spreading knowledge of humanitarian law and the Fundamental Principles of the Red Cross. They enabled the Movement to define the nature of dissemination, draw guidelines for it and systematize programmes of action.

This was the starting point for the series of regional seminars organized by National Societies and the ICRC in various parts of the world and soon after followed by seminars at national level. This new awareness led to successive Red Cross programmes of action in the area of dissemination of knowledge of international humanitarian law and the Principles and ideals of the Red Cross (1978-1981, 1982-1985, 1986-1990) which serve to guide the Movement as a whole.

It is not our intention here to describe the efforts and accomplishments of each of the Movement's components since 1977 in the field of dissemination. Successive reports presented to International Conferences of the Red Cross in recent years and the ICRC's journal "Dissemination" are rich sources of information. Dissemination has become a major area of activity in which co-operation between the ICRC, the League, the National Red Cross and Red Crescent Societies and the Henry-Dunant Institute has been constantly developing and intensifying.

Now that ten years of assiduous work have been accomplished, the Review would like to give theoreticians and practitioners, both inside and outside the Movement, the opportunity of discussing dissemination in their respective domains and sharing with us their personal

¹ The Diplomatic Conference, in Resolution 21 adopted on 7 June 1977, after inviting the signatory States "to take all appropriate measures to ensure that knowledge of international humanitarian law applicable in armed conflicts, and of the fundamental principles on which that law is based, is effectively disseminated", particularly to the armed forces and to appropriate administrative authorities and at universities and secondary schools, urges National Red Cross, Red Crescent Societies:

- "3. To offer their services to the authorities in their own countries with a view to the effective dissemination of knowledge of international humanitarian law;
4. Invites the International Committee of the Red Cross to participate actively in the effort to disseminate knowledge of international humanitarian law, inter alia:
 - (a) publishing material that will assist in teaching international humanitarian law, and circulating appropriate information for the dissemination of the Geneva Conventions and the Protocols.
 - (b) organizing, on its own initiative or when requested by Governments or National Societies, seminars and courses on international humanitarian law, and co-operating for that purpose with States and appropriate institutions."

experiences. Dissemination of humanitarian law within the university is discussed by an eminent Belgian professor who does not forget that he is also a teacher (see pp. 155-167); the ICRC official responsible for instructing the armed forces in the law of war looks back over the development of programmes for teaching humanitarian law to military personnel, drawing conclusions from his years of experience (see pp. 168-179); the deputy head of the French armed forces medical corps shares with us his thoughts in a lecture given to a group of reserve officers (see pp. 180-191); "The prestige and the pressures of dissemination" could be the title of the article sent by a most distinguished lawyer from the British Red Cross Society, whose dissemination work he describes realistically (see pp. 192-199).

When considered in the context in which they were written, the above very authentic contributions show that dissemination has in 1987 become truly established and that its importance is growing daily, if only because of the tragic realities of modern warfare. It has gone far beyond the confines of Red Cross institutions and has reached into military, academic and medical circles and the media. It is to the credit of the authors of these articles that they do not conceal the limits and obstacles to dissemination, thus demonstrating that though the principles are universal, the programmes and methods must constantly be re-evaluated, adapted and reorganized.

There is another lesson to be drawn, and it forms the backdrop to this discussion: the basic rules of international humanitarian law must be introduced into the training of simple soldiers and officers; knowledge of humanitarian law and the Principles and ideals of the Movement must be disseminated among the staff and volunteers of the National Societies, students and journalists—those are the people it is essential to reach. It is no less important to emphasize, especially with young people, the universal moral meaning of the principles of humanitarian law beyond their application to armed conflict. Disseminating knowledge of international humanitarian law and the Principles and ideals of the Red Cross also, and perhaps above all, means helping to make the average citizen aware of the virtues of humanity, impartiality and solidarity; it means fostering within him the spirit of peace; finally, it means helping him to act as a responsible person.

The Review

Dissemination of International Humanitarian law at university level ¹

by **Eric David**

Spreading knowledge of international humanitarian law at universities raises three questions which this text will attempt to answer. Firstly, why disseminate knowledge of international humanitarian law at universities? Secondly, towards which section of the university community should such an effort be directed? Thirdly, how should the subject be presented at law schools?

A. WHY DISSEMINATE KNOWLEDGE OF INTERNATIONAL HUMANITARIAN LAW AT UNIVERSITIES?

Although academics are certainly not the main target group for those engaged in dissemination, they must nevertheless have some knowledge of the subject. Indeed, ensuring that international humanitarian law is taught—or at least that its principles are understood—is both a legal and a moral obligation devolving on States.

1. Legal obligation

Although Article 1 of the Fourth Hague Convention of 1907 requires the States to disseminate knowledge of international

¹ Text based on a lecture given on 11 June 1986 in Baden, Austria, during a dissemination seminar for the National Red Cross Societies of Europe and North America.

humanitarian law only to the *armed forces*,² the Geneva Conventions of 1949 broaden this requirement to include civilians: the High Contracting Parties undertake “in time of peace as in time of war, to disseminate the text” of the Conventions “in their respective countries, and, in particular, to include the study thereof in their programmes of military and if possible, civil instruction, so that the principles thereof may become known to the entire population” (Article 47, First Convention; Article 48, Second Convention; Article 127 of the Third Convention; Article 144 of the Fourth Convention). Article 25 of the Hague Convention of 1954 contains a similar provision. Article 83 of Additional Protocol I of 1977 goes further in that the text, which is more or less identical to that contained in the 1949 Geneva Conventions, drops the words “if possible” and obliges the States to encourage study of the Conventions and Protocol I *by the civilian population*. Article 19 of Additional Protocol II also lays down the general obligation to conduct dissemination but does so much more briefly.

The States therefore have a legal obligation to disseminate knowledge of international humanitarian law among their *entire* civilian population and, as part of that population, universities must be included in the dissemination programme.

2. Moral obligation

Universities are not only ‘temples of knowledge’; they are also places where humanism is taught. A university’s mission is to train human beings, not just mental athletes. It must remind each succeeding generation of students which passes through it that even in war, when all rules seem to have been abolished, a certain amount of law remains and must be respected. If, as André Malraux wrote, humanism means rejecting that which the animal in us wants, and seek out human values wherever one finds conditions which threaten to overwhelm them,³ the steadfast observance of international humanitarian law is a way of achieving this and preserving human values even amidst shot and shell.

If the duty of each of us towards our fellow man is to propagate such humanism, then it is, *a fortiori*, one of the basic obligations of any institution of learning.

² Article I: “The contracting Powers shall issue instructions to their armed land forces which shall be in conformity with the Regulations respecting the Laws and Customs of War on Land, annexed to the present Convention”.

³ Malraux, A., *Les Voix du Silence*, Paris, N.R.F., Galerie de la Pléiade, 1951, p. 639.

B. WHICH ACADEMIC CIRCLES SHOULD BE THE TARGET OF DISSEMINATION EFFORTS?

War does not merely face all individuals with moral questions; it has a direct and immediate effect on the lives of those who get swept up in it. As Caillois wrote:

“No one can stand apart and do something else, for there is no one who cannot in some way be used in the war effort. War requires a contribution from everyone.

Thus, our egocentric lifestyle, in which everyone does as he pleases, without taking much part in community affairs, is replaced by a period in which society urges its members toward collective striving and suddenly places them side by side, groups them together, trains and regiments them—drawing them closer together body and soul.”⁴

War therefore concerns all of us and it would be a grave omission to limit the teaching of international humanitarian law to law faculties. Constituting as it does a group of human beings, every university faculty must be made aware of what war is and therefore of international humanitarian law. And disseminating knowledge of it in faculties other than law does not present any particular difficulty.

Any university programme worthy of the name usually includes in its initial phases general courses of philosophy, history, general psychology, etc. Inasmuch as war may be one of the subjects dealt with under philosophy, history, sociology etc., international humanitarian law may be incidentally, if not actually studied, at least broached in courses belonging to these different disciplines which are taught in one form or another both in the humanities and in the sciences.

Thus, the birth of humanitarian thought,⁵ followed by that of international humanitarian law, could be dealt with in *history*, *philosophy* and *anthropology* courses.

⁴ Caillois, R., *L'homme et le sacré*, Paris, Gallimard, 1950, p. 229.

⁵ See the laws of Manu in India (1,200 BC or 200 AD?), the thought of Se Ma in China (400 AD), the precepts of Christianity and Islam, African customs etc. in Letourneau, Ch., *la guerre dans les diverses races humaines*, Paris, 1895; Coursier, H., *Etudes sur la formation du droit humanitaire*, Geneva, I.C.R.C., 1952; Redslob, R., *Histoire des grands principes du droit des gens*, Paris, 1923; Diallo, Y., *Traditions africaines et droit humanitaire*, Geneva, I.C.R.C., 1976; Bello, E., *African Customary Humanitarian Law*, Geneva, ICRC, Oyez, 1980; Yadh ben Achour, *Islam et droit international humanitaire*, Geneva, ICRC., 1980.

The fascinating subject of the monstrous violations of international humanitarian law ⁶ could be examined in courses of *sociology, psychology* and *criminology*.

The origin and growth of the International Red Cross and the holding of the great diplomatic conferences of The Hague (1899 and 1907) and Geneva (1949 and 1974-77) are interesting objects for analysis in courses devoted to *international relations and organizations*.

The classic theme of the responsibility of scientists and technicians for the weapons they invent and manufacture ⁷ might be discussed in a course on the *philosophy of science*. An outstanding example would be Einstein, who at first advocated the building of the atomic bomb, and then strenuously opposed its use.⁸

One faculty in which the students must be initiated into the mysteries of international humanitarian law without delay is the faculty of medicine. Even where there is no course specifically devoted to international medical law, certain basic rules of international humanitarian law such as impartiality in the treatment of comrades in arms and enemy soldiers, and the exclusive application of medical reasons to determining priority in the order of treatment,⁹ could be dealt with in the framework of a general course on *medical ethics*.

⁶ See Knebel, F. and Bailey II, W. Ch., *Hiroshima, bombe A*, Paris, A. Fayard, 1964, pp. 356; *From Nuremberg to My Lai*, ed. by J. W. Baird, Lexington, Toronto, London, D.C. Heath and Co., 1972, pp. 221-225; Vidal-Naquet, P., *La Torture dans la République*, Paris, Maspero, 1975; Vittori, J.-P., *Confession d'un professionnel de la torture*, Paris, Ramsay, 1980; Lane, M., *Les soldats américains accusent*, Paris, Maspero, 1972; *Domination et torture*, Paris, Justice et Paix, 1978; Arendt, H., *Eichmann à Jérusalem*, Paris, Gallimard, 1966; Milgram, S., *Soumission à l'autorité*, Paris, Calmann-Lévy, 1980.

⁷ See Additional Protocol I, Art. 36: In the study, development, acquisition or adoption of a new weapon, means or method of warfare, a High Contracting Party is under an obligation to determine whether its employment would, in some or all circumstances, be prohibited by this Protocol or by any other rule of international law applicable to the High Contracting Party. See also *La science et la guerre*, Dossier from the Groupe de Recherche et d'Information sur la Paix (G.R.I.P.), Nos. 97-99, Bruxelles, 1986.

⁸ Cuny, M., *Albert Einstein*, Paris, Seghers, 1961, pp. 133 ff.

⁹ Article 12 of the First and Second Geneva Conventions of 1949: Wounded and sick persons "shall be treated humanely and cared for by the Party to the conflict in whose power they may be, without any adverse distinction founded on sex, race, nationality, religion, political opinions, or any other similar criteria... Only urgent medical reasons will authorize priority in the order of treatment to be administered".

Additional Protocol I, Article 10:

"1. All the wounded, sick and shipwrecked, to whichever Party they belong, shall be respected and protected.

C. PRESENTATION IN LAW FACULTIES

In most law faculties, it is probably not possible to introduce a course devoted to international humanitarian law into any but the final stage of law studies. Considering that the growing number of courses is already insufficient to fill the gaps in the teaching of material for everyday application, it is difficult to imagine giving the same prominence to a specialized course on international humanitarian law as to courses in, for example, insurance, international private arbitration, consumer law, advanced study of European law, etc., that is, subjects doubtless less exalted than international humanitarian law, but of greater direct interest to the future legal practitioner. The final phase of the programme is different, however, and at the Université Libre in Brussels there is, for the special degree in international law, a course entitled "*settling of international disagreements and the law of armed conflicts*".

That does not mean, however, that international humanitarian law cannot be discussed earlier, either in general, *non-legal* courses offered by the faculty of law and other faculties and which will therefore not be examined here (see above, B), or in law courses of a general nature (introduction to law, natural law, the philosophy of law, history of law, Roman law, etc.) and specialized courses (penal law and international public law).

1. International humanitarian law in law courses of a general nature

An *introduction to law*, which is on the first-year syllabus of most law faculties, provides an appropriate framework for presenting certain elements of international humanitarian law. Thus, when discussing the limits of the rule of law, it can be shown that war is not a situation in which there is no law and that although acts may be committed in wartime which in peacetime would be against the law, those who commit these acts must nevertheless observe a certain number of legal rules.

Likewise, a course on *natural law* enables international humanitarian law to be mentioned,¹⁰ since natural law today tends to

2. There shall be no distinction among them founded on any grounds other than medical ones".

(See similar provisions in Additional Protocol II, Article 7.)

¹⁰ Cf. Ingber, L., *Droit naturel*, P.U.B., 1982, pp. 189 ff.

be based less and less on religion and reason, and more on human rights, which are the modern expression of natural law. It is but a small step from human rights to international humanitarian law because the latter is basically the application of the former to armed conflict.

In courses on *the history of law* and *Roman law*, it would be simple to refer to the ancient and abiding character of certain principles of international humanitarian law.¹¹

Finally, a *philosophy of law* course which dealt with value conflicts, the relationship between law and morality and Antigone's opposition to Creon could find gripping examples in international humanitarian law which attempts to reconcile the contradictory necessities of war and humanity.

2. Presenting international humanitarian law in specialized law courses

a. Penal law

Although *penal law* does not lend itself to a general presentation of international humanitarian law, the subject of suppressing violations of penal law provides possibilities for referring to international humanitarian law. Such references may at first glance seem secondary and fortuitous, but in fact they make it possible to discuss issues of great theoretical interest and are likely to arouse the student's curiosity. For example:

- the idea that there should be international suppression of violations of international humanitarian law; this was set out in articles 227 and 228 of the 1919 Treaty of Versailles and in the Charters and Judgments of the International Military Tribunals in Nuremberg and Tokyo;
- the problem of suppressing violations of domestic law in the absence of specific rules, e.g., the trials in Belgium after the Second World War of persons guilty of war crimes, although those offences were not—and still are not—to be found in the Belgian penal code.¹²

¹¹ Cf. Redslob, R. *op. cit.*, pp. 90 ff.

¹² See Belgian Court of Cassation, 4 July 1949, *Pasicrisis* 1949, 1, 517; Grevy, R., "La répression des crimes de guerre en droit belge", *Revue de droit pénal et criminel* (R.D.P. et Cr.), 1947-48, pp. 806 ff., especially paras. 5 et 16.

- the different application of the provisions of penal law according to whether the person concerned is a combatant or non-combatant and the immunity of the former in cases of lawful acts of war;¹³
- acceptance or rejection of excuses for violations of international humanitarian law such as the excuse that orders had been given or that there was imperative necessity;¹⁴
- the question of whether or not the fact that orders were given can justify war crimes or crimes against humanity;¹⁵
- extradition and prosecution of war criminals¹⁶ and of persons who have committed grave violations of human rights.¹⁷

b. International law

Penal law, it is true, permits only oblique reference to international humanitarian law. *Public international law* is different. International humanitarian law is a specific branch of public international law and, as such, may be summarized in a chapter of its own or as part of a more general discussion. Textbooks in use differ

¹³ See Additional Protocol I, Article 43 [2]:

“Members of the armed forces of a Party to a conflict... are combatants, that is to say, they have the right to participate directly in hostilities.”

Article 44, para. 1:

“Any combatant... who falls into the power of an adverse Party shall be a prisoner of war.”

See also Article 15 (2) of the European Convention for the Protection of Human Rights which prohibits, even in wartime, any infringement of the right to life “except in respect of deaths resulting from lawful acts of war”.

¹⁴ See our study “L’état de nécessité et l’excuse de l’ordre supérieur”, *Revue belge de droit international (R.B.D.I.)*, 1978-79/1, pp. 65 ff.

¹⁵ See Mertens, P., *L’imprescriptibilité des crimes de guerre et contre l’humanité*, 1974; see the UN Convention of 26 November 1968 and the Convention of the Council of Europe of 25 January 1974: contrary to the principle of the non-retroactive nature of penal laws, the first provides that statutory limitations, where they exist, shall not apply (Article IV), while the second lays down only a statutory limitation *ex nunc* (Art. 2).

¹⁶ For recent examples, see *Barbie Affair*, French Court of Cassation, 6 October 1983, 26 January 1984 and 20 December 1985, *Clunet*, 1983, pp. 780 (ff.) note Edelman; *ibid.*, 1984, pp. 308 ff. note Edelman; *ibid.* 1985, pp. 127 ff., note Edelman; *P.N.M.v.Public Prosecutor*, Netherlands Supreme Court, 13 January 1981, *Netherlands Yearbook of International Law (N.Y.I.L.)*, 1982, pp. 401 ss.

¹⁷ See, Meyer, M.A., “Liability of prisoners of war for offences committed prior to capture: The Astiz Affair”, *International and Comparison Law Quarterly (I.C.L.Q.)*, 1983, pp. 948 ff.; *Filartiga case*, U.S. District Crt., N.Y., Jan. 10, 1984, *American Journal of International Law (A.J.I.L.)*, 1984, pp. 677-678; *Siderman Case*, U.S. District Crt., C.D. Cal. March 7, 1985, *A.J.I.L.*, 1985, pp. 1065-1067.

greatly in their approach, varying from almost total silence to an entire volume devoted to the subject.

An examination of the works in our possession (which are not necessarily the most recent) clearly demonstrates this diversity.

Among those which devote a special chapter to international humanitarian law, particular mention must be made of both H. Lauterpacht and P. Guggenheim. The former devotes practically an entire volume ¹⁸ to the subject and the latter almost 200 pages.¹⁹ G. Schwarzenberger,²⁰ W. Wengler²¹ and M. Diaz de Velasco²² also devote separate chapters to humanitarian law.

Other authors present international humanitarian law as a separate entity but within a more general chapter dealing with the use of force,²³ sanctions²⁴ or the settling of international differences.²⁵

Finally, some authors, including some of the most eminent, give no particular attention to international humanitarian law and merely refer to it in connection with the responsibility of the individual, war crimes²⁶ or human rights.²⁷

However, if international humanitarian law is not covered as a separate subject, it is possible to use it as a teaching tool for demonstration purposes. Indeed, many rules and institutions of international law can be clearly illustrated with instances taken

¹⁸ Lauterpacht, H., *Oppenheim's International Law*, London, 1958, 7th ed., pp. 201-623 (pp. 624-885 for the law of neutrality).

¹⁹ Guggenheim, P., *Traité de droit international public*, Geneva, 1954, pp. 295-492 (pp. 493-562 for the law of neutrality).

²⁰ *A Manual of International Law*, London, Stevens, pp. 190-216 (pp. 216-236 for the law of neutrality).

²¹ *Völkerrecht*, Berlin, Springer-Verlag, 1964, pp. 1360-1437 (for the law of neutrality, pp. 1438-1455).

²² *Instituciones de Derecho Internacional Público*, Madrid, Tecnos, 1982, vol. 1 pp. 575-626.

²³ Thierry, Combacau, Sur & Vallee, *Droit international public*, Paris, Montchrestien, 1975, pp. 597-625; Nguyen Quoc Dinh, Daillier & Pellet, *Droit international public*, Paris, L.G.D.J., 1980, pp. 855-872; Sorensen, M., *Manual of Public International Law*, London, Macmillan, 1968, pp. 799-839 pp. 840-844 for the law of neutrality).

²⁴ Quadri, R., *Diritto Internazionale Pubblico*, Palermo, Priulla, 1963, pp. 238-276 (pp. 277-288 for the law of neutrality).

²⁵ Reuter, P., *Droit international public*, Paris, P.U.F., Thémis, 1973, pp. 357-390 (pp. 390-408 for the law of neutrality).

²⁶ O'Connell, D.P., *International Law*, London, Stevens, 1970, II, 958-960; Brownlie, I., *Principles of Public International Law*, Oxford, Clarendon Press, 1973, pp. 297-298, 307, 544-547.

²⁷ Salmon J., *Droit des gens*, Presses Universitaires de Bruxelles, 1982-83, pp. 337-338, 359.

from international humanitarian law. The following cases exemplify subjects and sanctions of international law, with reference to sources.

1) The sources of international law.

- To illustrate how a rule embodied in an international convention becomes a general customary rule, mention may be made of The Hague Regulations of 1907, the customary character of which was recognized by the Nuremberg tribunal. The tribunal found that Nazi Germany had violated it, rejecting its claim not to be bound by it owing to the “*si omnes*” clause in Article 2 and the fact that several States which took part in the Second World War were not Party to the Regulations.²⁸
- It is well known that States which have signed a treaty are not obliged to ratify it. The signatory is nevertheless required to act in good faith and not deprive the treaty of its object and purpose.²⁹ This principle is particularly important in the case of the 1949 Geneva Conventions and their Additional Protocols, the final clauses of which require those instruments to be ratified “as soon as possible”.³⁰
This is a good example of the difference between signing a treaty and the procedure of accession.³¹
- *Exceptio non adimpleti contractus* is not an absolute rule and Art. 60 (5) of the Vienna Convention on the Law of Treaties emphasizes its limitations.³²
- It has often been said that the resolutions of the United Nations General Assembly have no legal force.³³ This type of sweeping

²⁸ International Military Tribunal of Nuremberg, Judgment of 1 October, 1946, Off. Doc. T. 1, p. 267.

²⁹ Vienna Convention of the Law of Treaties, 23 May 1969, Art. 18.

³⁰ Geneva Conventions of 12 August 1949: First Convention, Art. 57/Second Convention Art. 56/Third Convention, Art. 137/Fourth Convention, Art. 152; Additional Protocols of 10 June 1977: Protocol I, Art. 93/Protocol II, Art. 21.

³¹ Geneva Conventions of 12 August 1949: First Convention, Art. 60/Second Convention, Art. 59/Third Convention, Art. 139/Fourth Convention, Art. 155; Additional Protocols of 10 June 1977: Protocol I, Art. 94/Protocol II, Art. 22.

³² Art. 60 (5): The rules relating to the right to suspend or terminate the operation of a treaty as a consequence of its breach “do not apply to provisions relating to the protection of the human person contained in treaties of a humanitarian character, in particular to provisions prohibiting any form of reprisals against persons protected by such treaties”.

³³ Cf. Rousseau, Ch., *Droit international public*, Paris, Sirey, 1971, T. 1, pp. 436 ff., see also the references quoted in the *Texaco affair*, arbitration judgment of 19 January 1977, *Journal de droit international (J.D.I.)*, 1977, p. 376, para. 83.

statement should be made with more care.³⁴ One need only think of what has motivated domestic authorities to punish the violation of certain humanitarian rules. In *Filartiga vs. Pena-Irala*, the U.S. District Court in the State of New York based its findings, among other things, on a combination of Article II of the Declaration contained in UN Resolution 3452 (xxx)³⁵ and the *Alien Tort Claims Act*,³⁶ when it ordered a member of the Paraguayan security forces to pay 10 million dollars in damages to the beneficiaries of a Paraguayan who had been tortured to death by the defendant.³⁷

In the *Klaus Barbie* case, the French Court of Cassation based the legality of Barbie's extradition from Bolivia to France³⁸ on the "recommendations made in the United Nation's resolution of 13 February 1946".³⁹

2) The various subjects under the law.

- The ability of individuals and non-State authorities to be direct subjects, actively or passively, under international law is based on Art. 3 common to the four Geneva Conventions of 1949 and on Additional Protocol II. Not only is the government of the State party to those instruments bound to respect them but the members of armed groups and even entire populations are required to conduct themselves in accordance with their pro-

³⁴ *Namibia*, International Court of Justice (I.C.J.); opinion of 21 June 1977, *Rec.* 1977, p. 50, para. 105; *Texaco affair*, *loc. cit.*, paras 83 ff.

³⁵ A/Res. 3452 (30) of 9 December 1975, Art. 11:

"Where it is proved that an act of torture or other cruel, inhuman or degrading treatment or punishment has been committed by or at the instigation of a public official, the victim shall be afforded redress and compensation in accordance with national law".

³⁶ *Alien Tort Claims Act* — Title of United States Code 28, para. 1350 (1982)—empowers district federal courts to hear civil suits brought by aliens for damages resulting from acts "committed in violation of the law of nations or a treaty of the U.S."

³⁷ U.S. District Court. Eastern District, New York, Jan. 10, 1984, *American Journal of International Law* (A.J.I.L.), 1984, ppp. 677-678.

³⁸ In its Resolution 3 (I), the General Assembly: "recommends that Members of the United Nations forthwith take all the necessary measures to cause the arrest of those war criminals who have been responsible for or have taken a consenting part in the above crimes, and to cause them to be sent back to the countries in which their abominable deeds were done, in order that they may be judged and punished according to the laws of those countries".

³⁹ French Court of Cassation, Criminal Division, 6 October 1983, *Journal de droit international*.

visions (prohibition of murder and torture, obligation to treat the wounded, etc.).⁴⁰

- The complexity and variety of the different subjects under international law are accentuated when viewed in the context of the International Red Cross, which is composed both of States and of non-governmental organizations.⁴¹
- International peacekeeping forces are also subjects under international law as demonstrated by the fact that international humanitarian law applies to the operations in which they take part.⁴²

3) Enforcement of international law.

- Verification of whether international law is respected may be illustrated by the different provisions for protection laid down in international humanitarian law: the role of the International Committee of the Red Cross and the Protecting Powers,⁴³ bilateral inquiries⁴⁴ and fact-finding commissions.⁴⁵
- Among the best examples of establishing criminal liability for individuals who violate international law are Articles 227-228 of the 1919 Treaty of Versailles, the judgments handed down by the International Military Tribunals of Nuremberg and Tokyo, and domestic case law following World War II.
- Defences to international responsibility are not absolute. Their limits often become apparent when a state of emergency in wartime is cited. Indeed, this justification for divesting an act of its illegality⁴⁶ is admitted by international humanitarian law only in those cases for which it makes special provision.⁴⁷

⁴⁰ See Mallein, J., *La situation juridique des non-combattants dans les conflits armés non internationaux*, Université des Sciences sociales de Grenoble, thesis, roneo, 1978, p. 413.

⁴¹ See Perruchoud, R., *Les résolutions des conférences internationales de la Croix-Rouge*, Geneva, Henry Dunant Institute, 1979, p. 105 ff.

⁴² See the work of the International Law Institute on "The application of the law of war to the military operations of the United Nations", I.L.I. Annual, 1971, vol. 54.

⁴³ Geneva Conventions of 1949: First Convention, Art. 8 and 10/Second Convention, Art. 8 and 10/Third Convention, Art. 8, 10 and 126/Fourth Convention Art. 9, 11 and 147; Additional Protocol I of 1977, Art. 5.

⁴⁴ Geneva Conventions of 1949: First Convention, Art. 52/Second Convention, Art. 53/Third Convention, Art. 132/Fourth Convention, Art. 149.

⁴⁵ Additional Protocol I of 1977, Art. 90.

⁴⁶ Draft article on the responsibilities of States, Art. 33, Annual of the International Law Commission (Ann. I.L.C.), 1980, Vol. II, 2nd part. pp. 33 ff.

⁴⁷ *Ibid.*, p. 45; cf. for example, Additional Protocol I of 1977, Art. 51, para. 5; b, Art. 57, para. 2, Art. 58.

To sum up, this sampling of references to international humanitarian law shows that there are many opportunities for calling attention to this subject and that it is therefore possible for the instructor to raise some awareness of it without excessive effort on his part and without it being necessary to set up a special course until the later stages of law studies.

It is nevertheless obvious that a general presentation of international humanitarian law as part of one of the above-mentioned courses is preferable to a patchwork of unconnected references which runs the risk of losing the essential meaning of the humanitarian message.

D. CONCLUSION

Disseminating knowledge of international humanitarian law in academic circles is the legal and moral obligation of individuals and States. It should not be limited to law faculties but done throughout the university. This objective is all the easier to attain as most general courses taught in the initial part of the students' programme are capable of accommodating, if not an exhaustive presentation of international humanitarian law, at least a thorough outline of its principles. In the latter case, the idea is not to cram the students' minds with technical details but to raise their consciousness, encourage thought and develop what has been called the "humanitarian reflex".

General philosophy and sociology courses are ideally suited to this. The following courses, where they are offered, are further examples:

- in the natural sciences, courses in the philosophy or history of science;
- in the humanities and social sciences, courses in political theory, anthropology, social psychology, history, theory and sociology of international relations;
- in medicine, the course in medical ethics.

It should be remembered that the introductory law courses in natural law, the history of law, Roman law and public international law are all apt vehicles for dealing with international humanitarian law in a more detailed manner. This does not mean that it cannot also be taught in a separate, specialized course but this seems feasible only in the latter stages of the programme.

Whatever the solution found, it should be noted that spreading knowledge of international humanitarian law does not present any particular pedagogical difficulty. On the contrary, it is just the type of subject which "sticks". Indeed, it can be easily applied to the reports which one gets every day from the media and appeals to the street urchin in all of us.⁴⁸ Moreover, some of the legal problems which it raises (the status of guerrillas and of mercenaries, suppression of violations, etc.) are among the most fascinating which exist.

In practical terms, disseminating knowledge of international humanitarian law in academic circles requires that instructors use well-tried means to inform themselves beforehand: both informal, direct contacts and seminars bringing together a small number of persons are methods which have already proven effective.

It is nevertheless important to distribute adequate material, especially reliable documents which are well-referenced and adapted to the target group. Although there is an abundance of such documents dealing with the legal approach and history of international humanitarian law, those providing a philosophical, political, sociological, anthropological and psychological analysis of this branch of law remain to be written. There is no doubt that the International Committee of the Red Cross and the National Societies, which have already done remarkable documentation work on the legal aspects, would be in the best position to provide the tools and methods for teaching the subject.

To be sure, this preparation will require much work involving the tracing and scanning of widely varied sources. But that, after all, is in keeping with the basic aims which those organizations have set themselves and which they endeavour to accomplish daily in the field in relieving human suffering.

Eric David

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⁴⁸ See Brauner, A., *Ces enfants ont vécu la guerre*, Paris, Ed. sociales françaises, 1946, pp. 215 ff.

Law of war training within armed forces

Twenty years experience

by Frédéric de Mulinen

1. Introduction

The States which have accepted international treaties on the law of war are bound "to respect and to ensure respect for these treaties in all circumstances".¹

This general principle, stated in the 1949 Geneva Conventions, has to be put into practice. For that reason, the States "undertake, in time of peace as in time of war, to disseminate the text of the treaties as widely as possible and, in particular, to include the study thereof in their programmes of military and, if possible, civil instruction, so that the principles thereof may become known to the entire population, in particular to the armed forces".²

Proper instruction in the law of war must take place in peace time, but must take account of the realities of armed conflict: "each Party to the conflict, acting through its commanders-in-chief, shall ensure the detailed execution of the treaties and provide for unforeseen cases, in conformity with the general principles of the law of war".³

¹ Art. 1 common to the four Geneva Conventions of 12 August 1949 for the protection of war victims.

² Geneva Convention for the amelioration of the condition of the wounded and sick in armed forces in the field of 12 August 1949 (First Convention), Art. 47.

³ *Ibid.*, Art. 45.

Nobody can disagree with the above statements and requirements. But the growing complexity of modern warfare and of the law governing it renders it more and more difficult to ensure effective training in the law of war which will ensure that it is in fact respected under war conditions.

Two types of law must be distinguished. The *Hague-type law* (essentially The Hague Conventions) deals with the conduct of hostilities and conduct of combat. It is intended for commanders and staff teams dealing with operations. The *Geneva-type law* (basically the Geneva Conventions) has been set up and steadily developed for the benefit of victims of war: wounded and shipwrecked persons, prisoners of war, civilians under enemy authority. It addresses those who are in charge of or have to care for such victims. In other terms, The Hague-type law is predominantly preventive and the Geneva-type law remedial.⁴

2. Traditional dissemination

Until about 1970, training of the military in the law of war was easier. The Hague-type law consisted of a few general principles:

- prohibition of weapons of a type to cause unnecessary suffering, of poison or poisoned weapons, of destruction exceeding the necessities of war, of attack or bombardment of undefended localities (the latter two prohibitions being the nucleus of the wide protection of civilian populations and objects developed from 1971 on);
- duty to spare and respect medical establishments, cultural objects (historic monuments and similar), buildings dedicated to religion.

The provisions of the Geneva-type law concerning combatants were not more numerous: respect for enemies surrendering or captured, care for the wounded whether friend or foe, protection (immunity) of medical personnel, transports and establishments and of religious personnel, protection for cultural objects and those in charge of their safeguard.

These few general principles were phrased in short and simple sentences using the language of the time, and were thus imme-

⁴ The distinction between these two types of law is essential for the understanding and the practical application of the modern law of war (see hereafter chapter 3).

diately understandable. Their correct application resulted from the education received before joining the armed forces, from order and discipline in the unit and, last but not least, from common sense. Special law-of-war training sessions were not necessary: command responsibility and discipline led automatically to correct action and behaviour.

The very detailed provisions of the Geneva-type law were, and still are, the concern of those with special responsibilities in the relevant fields: prisoner-of-war administration and camps, leading functions within medical (and where appropriate also religious) services, civil affairs, cultural objects.

With the growing volume of law texts it became increasingly difficult to distinguish general principles from detailed provisions, many treaties or conventions containing both categories. It was thus easier to speak of one convention after the other and to deal at once with all problems of prisoners of war, sick and shipwrecked persons, civilians or cultural objects. Often it was not the normal trainer, the superior, but an outsider who, being considered as more expert, was given this task. As a consequence, much of the so-called training in the law of war took the form of the lecturer talking about what he knew instead of adapting his speech to the real needs of his audience. For example, an infantry company was given details of prisoner-of-war camps, their administration and the life in them, whereas what the company needed to know, namely behaviour towards surrendering enemies and the treatment of such persons on the spot (different according to whether they were healthy or sick) was not mentioned. The lecturer had formally fulfilled his duty, but in reality he had sowed grain regardless of the adequacy and receptivity of ground.

Too often, such dissemination has resulted in ignorance of indispensable knowledge and in doubts about the sense and credibility of the law of war. It should be borne in mind that what matters is the need to know.

3. Problems resulting from the modern law of war

Contrary to the previous law based on European or predominantly European wars involving opposing States with comparable social structures, armed forces and combat methods, the armed conflicts which occurred after the Second World War made evident

the need for the modernization of The Hague-type law and of Geneva-type law. Updating started in 1971 and ended in 1977 with the adoption of two Protocols described as additional to the Geneva Conventions of 1949 but in fact also supplementing The Hague Conventions of 1907.

Their main purpose was to improve the protection granted to the civilian population. Some additions were made to the Geneva-type law, *e.g.*, medical service, civil defence, rules on human rights.

The most difficult field was that of The Hague-type law. The few general principles of 1907 had to be restated and/or developed in more detail. To obtain agreement by the whole international community, it was necessary to find compromises that would be accepted by the representatives and supporters of classical warfare waged by regular armed forces and by those speaking for the forces of guerrilla-type fighting, often with the weapons and methods of the poor. Some of these unavoidable compromises resulted in a lack of clarity, allowing different and even contrary interpretations, provisions affecting the conduct of military operations being worded as follows: "to do everything feasible", "to take all feasible precautions" or "to the maximum extent feasible".⁵

Such imprecise wording is not immediately understandable. Before the new provisions are promulgated to members of the armed forces, they must be in effect "translated" into precise wording which everyone understands automatically in the same way. What the international legislator could not achieve when drafting the Protocols must be done at least at national level. It is part of the responsibility of authorities at top national level "to ensure the detailed execution" of the provisions.⁶

Consequently, the situation is now that: The Hague-type law is more detailed, but needs national clarification and explanation before its use in training the armed forces. The Geneva-type law, on the other hand, has been developed but has kept its own character: a few essential general principles and many detailed provisions which are of direct interest only for precise categories of specialists. The provisions can be read paragraph after paragraph, usually without the need for additional explanation; appropriate executive measures, often of an administrative nature, are all that is required.

⁵ Protocol I additional to the Geneva Conventions of 1949, Art. 57 and 58.

⁶ First Geneva Convention, 1949, Art. 45.

4. The need for a strategic approach to the law of war

The challenge is to fill the gaps left by the international legislator. This must be the starting point of any effective law-of-war training. Clarification can and must be adjusted to the particular situation and needs of each State.

Thus, within each State, the modern law of war must be approached from a strategic standpoint. The strategic situation (geographic, demographic, economic, political and military) of the State determines its national security policy which leads to the national concepts, clarifications, explanations and instructions about the law of war and its teaching.

As a consequence, the law of war appears from the outset as a matter of general interest, already in time of peace, for the various bodies and their agents within the State.

States in comparable strategic situations (e.g., landlocked or archipelagic, in the same region and thus with similar data, within an alliance or completely independent) will have similar needs and, as a consequence, similar approaches and solutions to problems connected with the law of war.

However, even with a strategic approach, it will not always be possible to solve all problems immediately. Some gaps will remain, particularly for forces fighting under unusual conditions, such as a hostile natural environment, the possibly very different tactics and means of combat used by opposing forces, fighting in the enemy's rear or in encircled areas, long and/or difficult transportation, supply and evacuation routes. It is part of the responsibility of the commanders concerned to fill such remaining gaps by "providing for unforeseen cases, in conformity with the general principles of the law of war".⁷

Even if all States were to clarify and give more precision to the flexible provisions of The Hague-type law, there might be too many different solutions which in an armed conflict could have negative consequences: misunderstandings between opposing belligerents leading to mutual accusations of violations of the law of war, bad effect on discipline within the armed forces, etc.

There is thus an evident need for co-ordinated and as far as possible harmonized clarification before starting to teach the law of war relating to the conduct of operations and to combat.

⁷ Ditto.

5. International search for solutions

The complexity of the modern law of war, in which older and more recent treaties coexist, in which rules are found not in one but in several conventions, and the need for national clarification and the filling of gaps have led international organizations and bodies to search for workable solutions and to make them available to the various States and to their armed forces.

Several meetings were organized for the purpose. Some of them dealt principally with clarification and with the filling of gaps in the law of war, whereas others were mainly concerned with training.

In 1977 the *International Committee of the Red Cross* and the *Polish Red Cross* convened a training-oriented Red Cross Seminar in Warsaw. There a group of military experts aimed at extracting the essential from the numerous legal provisions, and drafted *The soldier's rules* as a set of twelve elementary principles to be followed by all members of the armed forces. Since it is impossible to teach everything to everybody, certain subjects were suggested as priorities for specific levels within the military organization: privates, non-commissioned officers, junior officers, senior officers up to brigadier, commanders of divisions and above, up to the level of commander-in-chief.⁸

The *International Society of Military Law and Law of War* for its part undertook comparative studies between different law-of-war treaties (e.g. the 1977 Additional Protocols, and the 1980 Convention on certain conventional weapons with annexed protocols on mines and on incendiary weapons) and on the relationship between law-of-war treaties and other laws with some relevance to warfare (e.g. the Law of the Sea Convention). Emphasis was, and still is, on the conduct of operations and on penal affairs, always with the final purpose of providing clarification and suggesting solutions.⁹

⁸ Experts' report published in *Revue internationale des Services de Santé des Armées de Terre, de Mer et de l'Air/International Review of the Army, Navy and Air Force Medical Services*, Liège (Belgium), Nos. 9-10 (1977), pp. 737 ff.

⁹ See in particular Proceedings of the Ninth International Congress of the International Society of Military Law and Law of War (Lausanne 1982) in *Revue de droit pénal militaire et de droit de la guerre/The military law and law of war review*, Brussels, Vol. XXI-1-2-3-4 (1982).

From its inception, the *International Institute of Humanitarian Law* (San Remo, Italy) decided to be active in making the law of war known and respected within the armed forces. It started in 1971 by organizing meetings to discuss the subject. However, the Institute soon realized that it should itself play a leading role, rather than merely telling other people what they should do. That is the origin and purpose of the *International courses on the law of armed conflicts for officers* which the Institute has organized on a regular basis since 1976 under its exclusive responsibility and with the particular support of the International Committee of the Red Cross.¹⁰

Last but not least, the *International Committee of the Red Cross* is becoming increasingly active in supporting States and their armed forces in law-of-war training. On the one hand clarification and training documents are prepared, such as the *Handbook on the law of war for armed forces*. On the other hand, direct training activities are performed at its headquarters in Geneva and in various parts of the world.

All these activities have led to a modern concept for presenting the law of war to the armed forces.

6. Military presentation of the law of war

The purpose of the military presentation of the law of war is to have a common concept for teaching the law of war and for practical manuals on the subject to be used for guidance in action.

Stress is laid on The Hague-type law and its relevance at strategic level for the conduct of operations and for action in combat. The spirit of the presentation is that of a code of conduct. Consequently those respecting order and discipline and behaving according to the military presentation will always be in conformity with the law of war.

The military presentation is divided into ten parts. After reference to basic notions, it begins at the strategic level with the control or management of armed conflict.

It then follows the normal command structure and decision-making process from the strategic level down to the battle area

¹⁰ Complete course files published in *Revue de droit pénal militaire et de droit de la guerre/The military law and law of war review*, Brussels: 1st course (French) in Vol. XVI-1 (1977) and 5th course (English) in Vol. XVIII-3 (1979).

where the last tactical decisions are taken on the spot. It goes on to deal with the predominantly protective measures (Geneva-type law) from the battle area to the remotest rear areas where all the problems of the law of war are to be solved.

The presentation ends with the two specific situations of occupation and neutrality.

Thus, the ten parts of the military presentation of the law of war are the following:

1. Terms of reference:

Essential notions for understanding the law of war

2. Control of armed conflict:

Predominantly strategic approach for the prevention and control of conflict

3. Command responsibility:

General responsibility with emphasis of law-of-war training and organization

4. Exercise of command:

Incorporation of the law of war into the normal decision-making process

5. Conduct of operations:

Essentially the conduct of attack and the conduct of defence

6. Behaviour in action:

Tactical action on the spot and first measures in favour of victims

7. Transportation:

All movements between fighting areas and rear areas, with emphasis on evacuation

8. Rear areas:

Logistic bases, treatment of victims in the rear, civil affairs, penal affairs

9. Occupation:

Responsibilities and rights of occupants and occupied, control, combat actions

10. *Neutrality:*

Responsibilities and rights of belligerent and neutral States, control, combat actions

7. **International courses on the law of armed conflicts**

By organizing the *International courses on the law of armed conflicts for officers*, held in San Remo, the *International Institute of Humanitarian Law* intends to help governments to come to terms with their obligation of ensuring respect for the law of armed conflicts or the law of war within their armed forces.

The courses are therefore conceived as military courses. The general aim of the courses is to enable and encourage participants to act within their sphere of responsibility in accordance with the principles and rules of the law of war. The courses are meant especially for persons holding or about to hold a position in their national military organization in which they can ensure training resulting in effective respect for the law of war.

From 1976 to 1986, twenty courses were organized, usually two a year. From 1987, three courses per year are planned: one in French and Spanish in May and two in English in October.¹¹

The courses initially lasted a week. Increasing interest caused them to be extended gradually to ten full days (two five-day weeks). The basic aim and concept remained unchanged, but the course structure evolved with the practical experience gained during the years. For some time, one whole day was devoted to sea warfare and another to air warfare, and although this allowed a study in depth of these two subjects it made a false separation of land, sea and air warfare. The need for continuous joint presentation of land, sea and air aspects therefore prevailed.

The concept and structure of the ten-day courses follow the military presentation of the law of war, which itself resulted from practical experience gained in the courses.

The work is carried out as far as appropriate on a realistic military basis (organization, command structure, tactics) with fic-

¹¹ Ditto.

tional geographical data. There are few lectures and general presentations, most of the time being devoted to activity in small teams, whenever feasible in staff-type work.

While the courses organized by the International Institute of Humanitarian Law are *general or basic courses* for generalists and persons needing general knowledge, there could and should also be *special courses* set up for specialists. A special course was initiated in 1979 by the *International Committee of Military Medicine and Pharmacy* which organizes *Courses on the law of armed conflicts for senior officers of the armed forces medical services*. These courses take place every year in November, at the Henry Dunant Institute in Geneva, and are given alternately in English and French. They last for ten days and follow the military presentation of the law of war, with emphasis and practical work adapted to the specific aspects of the medical service.¹²

There could be other special courses suitable, e.g., for commanders of particular levels and/or arms, for members of specific staff sections: personnel, intelligence, operations, logistics, civil affairs, etc.

8. Handbook on the law of war for armed forces

The *Handbook on the law of war for armed forces* prepared at the *International Committee of the Red Cross* aims to make the military presentation of the law of war generally available. As the Handbook is conceived like the usual military manuals, the military reader should immediately find what is relevant to him according to his position in the command chain and to the situation given.

As each of the ten parts of the Handbook has to be complete, overlapping is unavoidable and necessary. But the approach always corresponds to the main subject considered, and the subjects which overlap are seen each time from a different angle.

The Handbook is meant primarily for higher commands with a staff at their disposal. It refers to the provisions of treaty law and

¹² Report on 4th course published in *Revue internationale des Services de Santé des Armées de Terre, de Mer et de l'Air/International Review of the Army, Navy and Air Force Medical Services*, Liège (Belgium), No. 4 (1985), pp. 245 ff.

indicates where the full details can be found whenever necessary. The Handbook is completed by a *Summary for commanders* (without any references to law) and *Rules for behaviour in action* (to be used as a guideline for training within the company).¹³

9. The law-of-war instructor

Whatever the teaching concepts, systems and methods, it is the instructor who holds the key for effective law-of-war training.

No trainer or instructor can be too highly qualified. As a rule, the instructor should always have had, as a minimum, the level and amount of training and practical experience of his trainees. The immediate superior is thus the ideal and normal instructor.

The person who has to lead men in action is also the one who knows best what they have to be taught and how they must be trained. Thus, every commander must be acquainted with those parts of the law of war that are relevant for him and for those under his command.

For persons outside the chain of command who must provide training, the qualification criteria are similar: officers with comparable command practice will train commanders, experienced general staff officers will instruct general staff officers and students in staff colleges, specialists will train specialists of their branch.

To teach privates, non-commissioned officers, platoon leaders and similar ranks, no specific legal background is needed. The principles of order and discipline, common sense and economy of means all lead to the appropriate method of teaching to reach correct decision-making, action and behaviour.

The training of company commanders, senior officers, staff members and other specialists requires adequate knowledge of the law of war. The superior should have been trained in the law of war before acting as an instructor.

To solve specific law-related problems, the superior may ask for legal advice. He may also ask for a legal adviser to take part in the theoretical training and even in normal staff work (e.g., to review orders and instructions or with regard to the immunity of cultural objects).

¹³ The Handbook will be available in English in summer 1987, in French and in Spanish in winter 1987-88.

10. Conclusions

Much can and should be done at international level to clarify the law of war and to fill existing gaps, to suggest methods and means for teaching the law of war, and to instruct persons holding national responsibilities concerned with the law of war and training within the armed forces.

Decisive action that results in effective respect for the law of war can, however, be taken, and must be taken, only by each State and its armed forces.

There must be one aim at all levels, in all arms and branches of the armed forces: always to link the requirements of the law of war with the military reality and to integrate all problems and aspects of the law of war into normal military activity. It is a question of order and discipline.

Frédéric de Mulinen

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The Geneva Conventions and medical personnel in the field *

by Médecin Général Inspecteur J. Miné

To speak of the Geneva Conventions and medical personnel in the field is truly to return to the very source of international humanitarian law, for the event which led to the birth of that body of law was the tragedy suffered at the battle of Solferino in 1859 by the wretched masses of wounded soldiers on both sides who received no care whatever.

But, while in no way detracting from Henry Dunant's achievements, it should be remembered that there were individuals in the medical services who, along with many others, greatly contributed to the development of humanitarian concepts before they were enshrined in the first Geneva Convention of 1864.

It is not my intention to draw up an exhaustive list, I would like to begin by recalling what was written by Ambroise Paré about the siege of the city of Metz in 1552: "Likewise, the enemy left in the abbey of Saint-Arnould many of their wounded soldiers whom they were unable to carry off... My Lord de Guize sent them their fill of food and commanded me and the other surgeons to go and bind their wounds and administer medicine, which we willingly did".

We have also had handed down to us the French code of military medicine as established by Jean Colombani, inspector of hospitals, in 1772, which requires wounded prisoners to be respected. In 1789, Claude Pierson, chief administrator of French military hospitals, sent out similar guidelines. In 1800, Baron Percy championed the idea of having field hospitals declared immune from attack. Hippolyte Larrey in 1861 publicized the memorandum sent to him by the pharmacist Philippe Arnould regarding the protection of wounded persons. Another example is the publication, in 1863, of the code for French army medical officers. It prohibits the abandonment of wounded soldiers during a retreat.

* Lecture delivered during the "National Instruction Days" of the National Association of the Reserve Officers of the technical and administrative Corps of the French Armed Forces Medical Services (Paris, february 1986) devoted to the International Red Cross and the Geneva Conventions.

Finally, Baudens, in his memoirs published posthumously in 1865, advocated an agreement between nations for bringing aid to the wounded and the adoption of a sign recognized by all to be used by doctors and medical personnel in wartime.

Since then, many other military medical officers have worked for the development and dissemination of a body of humanitarian law. I will mention one only, the chief medical officer Lambert des Cilleuls, who was also a great military historian of the French medical corps.

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This article may be considered as a study of the individual and collective behaviour of medical personnel in the field *vis-à-vis* their responsibilities under the Conventions. This will be done on the basis of the most recent Conventions, those of 1949. They have the force of law because France has ratified them, just as in 1984 it ratified one of the two Additional Protocols of 1977—Protocol II relating to non-international conflicts.

In practice, the provisions of the Geneva Conventions which apply to medical personnel take the form of a series of rights and duties, the main points of which I would now like to describe to you.

The *rights* may be summarized as follows:

- Medical personnel must be afforded respect and protection. This applies to permanent personnel, but also to temporary personnel (auxiliary nurses or stretcher bearers) provided they are officially attached to the medical service of the armed forces and used in that capacity. All possess identity cards confirming that they belong to the Service, and they are armed.
- This protection also covers establishments, units, equipment and vehicles. The same is true for medical aircraft and hospital ships. It is prohibited to attack them or impair their capacity to function, even at times when they contain neither wounded nor sick persons. It should be noted that hospital ships may under no circumstances be captured.
- Another form of protection is protection from captivity. Military medical personnel who fall into the hands of the enemy may not be considered as prisoners of war.
- Finally, these provisions apply to National Red Cross and Red Crescent Societies and sometimes to other voluntary aid soci-

eties which officially take part in transporting and treating the sick and wounded.

- These rights arise indirectly from the duties; the two are greatly dependent on each other.

There are three points that I would like to make at this juncture:

- First, it is important to appreciate what such protection means. It is not accorded to medical personnel for their benefit but because they care for the victims of conflict, and it is a way of helping them to perform their duties better. It is not the medical personnel but the wounded persons in their care who are to be favoured. This indicates the limits of the protection and requires all members of the medical service to adhere scrupulously to their mission of assistance. Otherwise, they may forfeit the protection they enjoy.
- Second, the wording of Article 8 of Additional Protocol I defines “medical personnel” as “those persons assigned, by a Party to the conflict, exclusively to... medical purposes”.¹

This wording might give rise to confusion in that it would seem to imply that administrative staff of the medical service would not be protected. This is not, in fact, the case. Nothing justifies the restrictive interpretation which some have wanted to give to it. Be that as it may, one should be guided by Article 24 of the First

¹ Article 8 of Protocol I stipulates, *inter alia*, that

“(c) “medical personnel” means those persons assigned, by a Party to the conflict, exclusively to the medical purposes enumerated under sub-paragraph (e) or to the administration of medical units or to the operation or administration of medical transports. Such assignments may be either permanent or temporary. The term includes:

- (i) medical personnel of a Party to the conflict, whether military or civilian, including those described in the First and Second Conventions, and those assigned to civil defence organizations;
- (ii) medical personnel of National Red Cross (Red Crescent, Red Lion and Sun) Societies and other national voluntary aid societies duly recognized and authorized by a Party to the conflict;
- (iii) medical personnel of medical units or medical transports described in Article 9, paragraph 2;

(e) “medical units” means establishments and other units, whether military or civilian, organized for medical purposes, namely the search for, collection, transportation, diagnosis or treatment—including first-aid treatment—of the wounded, sick and shipwrecked, or for the prevention of disease. The term includes, for example, hospitals and other similar units, blood transfusion centres, preventive medicine centres and institutes, medical depots and the medical and pharmaceutical stores of such units. Medical units may be fixed or mobile, permanent or temporary;...”

Convention of 1949, which is perfectly clear on this point, especially as France has not ratified Additional Protocol I.

— Third, the present medical service in France is anxious to be able to use the veterinary corps to fill out its medical units in the field, assigning them, alongside the traditional medical and paramedical personnel, to the tasks of evacuating and assisting the wounded. In their normal role, veterinarians are not counted among those personnel entitled to protection.

Curiously enough, Article 22 of the First Geneva Convention states that where personnel and material of the veterinary service are found in a medical unit or establishment, without forming an integral part thereof, they may not be deprived of protection.² The problem, if a problem exists, does not seem difficult to solve. It suffices to ensure that veterinary personnel who are put to such use officially belong to the medical service and are able to provide proof of this.

An examination of the *obligations* reveals two different types. One could be described as military and the other as technical.

Military obligations tend to affirm and justify the principle of protection, that is, the medical service must identify its personnel, establishments and vehicles by marking them with the emblem specified in the Conventions and undertake to use them solely to carry out its official mission and not commit what the Conventions call acts harmful to the enemy.

The technical obligations entail the following:

- humanitarian assistance, that is, rescuing sick, wounded and shipwrecked persons and affording them respect, protection and the best possible care;
- impartiality, that is, making no distinction between victims on any but medical grounds, especially between wounded comrades and enemies;

² Article 22 — The following conditions shall not be considered as depriving a medical unit or establishment of the protection guaranteed by Article 19:

- (1) That the personnel of the unit or establishment are armed, and that they use the arms in their own defence, or in that of the wounded and sick in their charge.
- (2) That in the absence of armed orderlies, the unit or establishment is protected by a picket or by sentries or by an escort.
- (3) That small arms and ammunition taken from the wounded and sick and not yet handed to the proper service, are found in the unit or establishment.
- (4) That personnel and material of the veterinary service are found in the unit or establishment, without forming an integral part thereof.
- (5) That the humanitarian activities of medical units and establishments or of their personnel extend to the care of civilian wounded or sick.

- setting of priorities for treatment based solely on the degree of medical urgency;
- solidarity, the duty not to abandon wounded or sick persons who have fallen into the hands of the adversary.

It should be pointed out—and everything which follows will confirm this—that respect for the Geneva Conventions conforms fully to the French army's code of military discipline and to the professional code of ethics which applies to its doctors and pharmacists. These roles were set out in the decree of 16 January 1981, Article 50 of which states: "in time of war, they must use the technical means at their disposal in their field to assist their fellow soldiers in a spirit of absolute solidarity and self-denial and in accordance with international humanitarian conventions".

Such a cursory review of these obligations might lead the inattentive observer to conclude that they do not contain much more than conventional medical ethics, which are as old as they are familiar to physicians and, when all is said and done, relatively easy to obey.

The reality is quite different. Respecting these rules means facing many factors associated with war and capable of causing obstacles which the medical service is duty-bound to overcome.

The main factor is the appearance of radical psychological and social changes which affect any individual or group of individuals involved in war, implying the influence of a war mentality characterized by the disappearance of prohibitions prevailing in peacetime, passive submission to the group and to authority. It follows that there is an increase in violence and acts of vengeance, and a decrease in the perceived value of the lives of others. All these things, of course, are contrary to the spirit and letter of the Geneva Conventions.

Furthermore, the medical service in the field does not exist in isolation from the rest of the military structure: it is part of it and necessarily supportive of one side in the conflict. This means that the medical personnel more or less share the risks, the passion, the fury and the distress—all factors which put them under pressure, bring them into contact with the fighting and draw them into inevitable, indeed essential loyalty to their own side. But that loyalty requires the medical personnel to take care lest it deflect them from their primary calling and, by influencing or dictating their choices, set them at odds with their humanitarian obligations.

There is a third factor which makes their task no easier: the increasingly deadly nature of modern combat. This is due to the growing potency of weapons, their massive and indiscriminate use, the fact that fighting continues without respite, day and night, and that protected zones no longer exist. How then are medical personnel to perform their duty of giving assistance and the best possible treatment to all and abandoning no one?

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To see how the medical service carries out its humanitarian mission in practice in the field, it is necessary to examine its conduct in the different areas of responsibility, that is, collecting, triage, evacuating and treating the wounded. To be sure, rights and duties are involved at each stage, but they take on a specific aspect each time.

As soon as it is deployed, the medical service must, before anything else, take measures for the protection of its personnel and establishments. It must therefore ensure that the prescribed armlets are worn and that its first-aid posts and ambulances are easily identifiable through red crosses on a white background. It is simple to imagine the difficulties, the resistance and even hostility which the medical service may encounter on its own side. It may be accused of ignoring military realities in the face of the more or less valid necessity of using camouflage and the argument that the enemy could use the visibility of medical facilities to calculate their adversary's strength.

To what extent, in real terms, is this protection effective? It is often quite illusory, because the medical personnel are very close to the fighting, weapons are indiscriminate and medical personnel are not always recognized as such. Inevitably, they must take risks.

Indeed, the danger may be so great as to make impossible any exposure to it. Imagine the choice faced by a commander who must choose either to risk the lives of his doctors and stretcher-bearers or deliberately to abandon the casualties which the Conventions and his sense of professional ethics require him to assist. The trenches of World War I rang too often and too long with the cries for help and the agony of those whom no rescuer could ever reach. That is perhaps what made Doctor Soubiran write: "A doctor who goes to fetch the wounded and dead in battle is just doing his job. A doctor who gets killed out there is incompetent". No doubt. But does that

term apply to a doctor who is killed by a wounded enemy soldier whom he was about to assist? Who can say where, for the rescuer, is the demarcation line between courageous performance of a duty and foolhardy or useless heroism?

Thus, protection is often illusory at this stage of the operation and the risks are very great indeed. There are also practical difficulties, because the number of wounded and the severity of their wounds are growing relentlessly and the needs are seldom met by the resources.

Collecting all the wounded then becomes impossible: some are forgotten in places not searched, others receive assistance too late while still others, for lack of resources, do not receive the necessary care.

Further difficulties arise because it is here, at the front, that combatants and rescuers are in the thick of battle. The choices which the rescuers must make will inevitably, and very understandably, be the object of partisan pressure applied by the combatants. The doctor in such a situation will require great authority to be able to impose decisions such as whether the wounded compatriot or wounded enemy soldier will be given the last bandage, the last splint or the last team of stretcher-bearers.

In the heat of battle, more than elsewhere, situations may arise in which the medical service is hard put to observe the Conventions' rules in the face of reprehensible attitudes, and it may sometimes be necessary to take a stand.

One such attitude would be that medical establishments or vehicles should be used, for example, to transport weapons or to shelter able-bodied combatants, or that a first-aid post be used as an observation post. The medical service's credibility would thus be damaged and one can easily imagine the disastrous consequences.

The same would be true of any member of the medical service who was tempted to identify himself with the combatants and "do a John Wayne". Even if he were to remove all identifying badges etc., this is not his role and he is needed elsewhere to perform the tasks for which he has been trained. Apart from the fact that he would rarely be appreciated in such a role, he would be in total breach of the spirit, if not the letter, of the Conventions.

The Conventions contain very clear provisions concerning the carrying of weapons. Light individual weapons may be carried for strictly defensive purposes. These may under no circumstances be used in organized fighting or to resist an attack. In such a case, the

unit would have no choice but to surrender. On the other hand, the medical service must play a preventive, police-like role to protect the wounded against pillage and ill-treatment.

Protection at the triage stage is not much better if only because of the proximity of the fighting and the mobility of combat troops. On the other hand, marking and identification are more effective, the pressure of the combat environment is less intense and it is easier for members of the two sides to co-exist.

The interesting question here is whether triage, with all its tragic implications when there is a massive influx of wounded, is legitimate. Triage is a voluntary act of discrimination which takes into account the seriousness of the injuries and the available resources. In triage, the most severely wounded are passed over in favour of those who have a chance of survival if adequate care is administered immediately.

The Geneva Conventions implicitly confirm the lawfulness and even the necessity of such a practice. They refer to treatment "without any adverse distinction". But Article 12 of the First Convention of 1949 stipulates that such a distinction between the wounded and the sick must be based exclusively on medical considerations.³

Primary and secondary evacuations must theoretically be accorded total protection provided, once again, that those carrying them out identify themselves clearly and that the evacuations serve no purpose other than assistance to the wounded and sick. Such exclusiveness becomes important when scarce but very effective modes of transport, such as helicopters, are used. Under the Conventions, such scarcity could not be used to legitimize, for example, a helicopter flying a mission which was purely medical on the outbound trip but of a military nature on the return leg. The Falklands/Malvinas conflict provides a good example of this problem.

³ Article 12 — Members of the armed forces and other persons mentioned in the following Article, who are wounded or sick, shall be respected and protected in all circumstances.

They shall be treated humanely and cared for by the Party to the conflict in whose power they may be, without any adverse distinction founded on sex, race, nationality, religion, political opinions, or any other similar criteria. Any attempts upon their lives, or violence to their persons, shall be strictly prohibited; in particular, they shall not be murdered or exterminated, subjected to torture or to biological experiments; they shall not willfully be left without medical assistance and care, nor shall conditions exposing them to contagion or infection be created.

Only urgent medical reasons will authorize priority in the order of treatment to be administered...

In taking decisions concerning evacuation, the doctor in charge often faces a difficult choice. Should he place the last team of stretcher-bearers in danger to evacuate one emergency case? Up to what point should he press his superiors to obtain authorization for the vital helicopters when the weather or military situation is unfavourable? How, as in the case of the French at the battle of Dien Bien Phu, can he be certain that he has made the best choice of the wounded to be put aboard the last aircraft out? Finally, if there are no more ambulances protected by the red cross, should he refuse to place wounded people on combat vehicles if they are the only means left of evacuating them to a medical establishment or of preventing their capture?

The possibility of capture is amply covered by the Geneva Conventions. They stress above all the absolute solidarity which the doctor must have with the wounded and sick people in his care. If they are taken prisoner, he must be prepared to share their fate and continue to assist them. If a medical unit must pull back in order to avoid being captured and is not able to take with them all or part of the people in their care, sufficient personnel and material to meet the needs of those people must be left with them.

Within certain limits, the personnel left behind will have some prospect of being repatriated, for only those personnel will be retained who are judged indispensable to the medical care of the prisoners of their own party. The doctor must continue to work on their behalf and may not be assigned other tasks.

Respecting the Conventions becomes easier in the actual treatment of the wounded and sick, which takes place at a distance from the battle, with the medical services amply identified and separated from combat units. Decision-making and protection are no longer difficult problems. The personnel can turn their attention exclusively to medical care, the healing process itself which can be no better described than by quoting George Duhamel relating his experiences at the head of a mobile surgical unit during World War I: "A machine, just a machine with no soul but with a good head of steam, set to operate for a long period and plough its way through a lot of work... I was operating better and better and faster and faster on men who remained anonymous to me. I often did not even know their nationality."

There also comes a time when one must be able to defend those who have been placed in one's hands. Let us not forget what Larrey's son said to the people who had come to the Hôpital du Gros Caillou and demanded that the wounded members of the

Royal Guard be handed over to them: "What do you want? My patients? They are mine, get out of here!".

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It is justified to ask whether, in such a situation, the medical service does not in fact become merely a cog in the machinery of war and thus contravene the Conventions by maintaining troop numbers and restoring the morale and fighting spirit of the combatants. Nothing of the sort. It is merely respecting its own code of ethics, Article 15 of which states that "a military doctor must constantly do his utmost to maintain troop numbers".

Military doctors do have one obligation, however, and it remains in keeping with the Conventions: they must not allow their therapeutic activities to be dictated by immediate military imperatives in such a way that it harms the medical interests of their patients. Meeting this obligation may be particularly perplexing when it comes to removing soldiers from combat because of psychiatric disorders, which can be very severe in today's conditions of combat.

As we have seen, it has not always been easy for the medical service to observe the Geneva Conventions. Looking to the future, we see three important trends:

- ever more sophisticated weapons,
- the spread of new types of warfare,
- the impact of alarming social and cultural phenomena.

Concerning weapons, people will in future do their fighting without seeing each other, on land, at sea and in the air. How then can those entitled to protection identify themselves? By a radio signal reserved for those carrying out medical evacuations? By means of radar transponders? No, because helicopters cannot use these. By prior agreement on a distinctive signal? For the moment, we are only at the discussion stage, though Article 23 of the First Geneva Convention provides for neutral zones, called "hospital zones", to be established.⁴

⁴ "In time of peace, the High Contracting Parties and, after the outbreak of hostilities, the Parties to the conflict, may establish in their own territory and, if the need arises, in occupied areas, hospital zones and localities so organized as to protect the wounded and sick from the effects of war, as well as the personnel entrusted with the organization and administration of these zones and localities and with the care of the persons therein assembled."

Even leaving aside the possibility of bacteriological, chemical or nuclear war, we are increasingly faced with new types of warfare such as guerilla war, civil war and so-called small-scale conflicts. It has been our misfortune to have had some experience of these. The French medical service has had to learn to respect the provisions of the Conventions prohibiting it from abandoning its duties on the pretext that the other side has not met its own obligations. The Service has, however, very often been a prime target, not only because it was not protected but because its humanism and impartiality made it an obstacle for the enemy.

The humanitarian missions in which the French medical service takes an increasingly active part have seen it providing equal assistance to combatants from both sides in separate places. A good example of this has been the civil war in Chad, where we have at times had to protect this or that wounded person or post-operative patient against murderous night attacks by the enemy. All we were doing was obeying both our code of ethics and the Conventions.

But new and alarming social and cultural factors are coming into play. We are witnessing a weakening of international moral standards and an unprecedented explosion of radical, totalitarian ideologies which carry the banner of holy war and fanaticism. "War has become an object of passion, and suffering a political tool" and it is sometimes the States themselves which, more or less, sponsor the taking of hostages. This being the case, what is the point of having international humanitarian standards which look more derisory with each passing day?

This is what justified the adoption in 1977 of provisions additional to the Geneva Conventions, including two paragraphs in Article 10 of Protocol II: "Under no circumstances shall any person be punished for having carried out medical activities compatible with medical ethics, regardless of the person benefiting therefrom". That is a forceful reaffirmation of the general protection for those engaged in a medical mission, regardless of the place, time or circumstances. Article 10 goes on: "No person engaged in medical activities may be penalized in any way for refusing or failing to give information concerning the wounded and sick who are, or who have been, under his care".⁵

⁵ Protocol II, Article 10, par. 4.

The memories which we French have of four years of occupation are enough to justify these provisions and, sadly, they remain very necessary.

Given such a gloomy outlook, we may well ask how we can always be prepared to carry out our mission, obeying both our code of ethics and the Conventions.

First, commanders must be made aware of humanitarian requirements (since they, after all, are responsible for their implementation). Next, we must fix clearly in our minds the moral precepts enshrined in the Conventions. To do this, the medical service gives instruction to its doctors and other personnel and verifies through practical training courses, exercises and even examinations whether they have the required understanding and commitment. It maintains close contact with representatives of the Red Cross on an international, national and regional level. Finally, it is happy to co-operate with projects to spread knowledge of humanitarian law.

Thus, the medical service of the French army serves as an example for those around it. It is aware of the responsibilities which, though shared with others, must be shouldered mainly by the service itself. It respects the principles of humanitarian law and is strong enough to denounce violations of that law. The medical service always endeavours to maintain its place in the vanguard of those who are determined that the great hope of 1864 will not, at the end of the 20th century, be but a tragic illusion.

Médecin Général Inspecteur J. Miné

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Promoting Principles and Law

by Michael A. Meyer

In 1977 a number of resolutions were adopted by several international bodies on the importance of dissemination of knowledge of Red Cross Principles and International Humanitarian Law.¹ Although there had been earlier resolutions on this subject,² it was from that date that Red Cross and Red Crescent institutions began to approach dissemination in a more systematic manner.

The science of dissemination (if it can be called that) is still in its infancy. The only truism may be that what works successfully in one country or for one target group may well be ineffective in a different country or for a different audience. So in directing a dissemination programme, one must strive to be adaptable, to experiment and to accept some failures.

Another cliché is that at times one only learns from one's mistakes: a very appropriate saying in dissemination work.

Thus, after a decade of increasingly planned action, dissemination, while an evolving science, is still very much an art and in certain respects, is likely always to remain so.

These ideas, and those which follow, are based on the experience of one National Society—the British Red Cross, at least as seen through the eyes of this observer. It is in large part a personal view but one which I hope will be of use to disseminators generally.

¹ e.g. Resolution 21 of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts; Resolution VII of the Twenty-third International Conference of the Red Cross (Bucharest); Resolution 32/44 of the United Nations General Assembly (97th Plenary Meeting).

² e.g. Resolution XII of the Twenty-second International Conference of the Red Cross (Teheran, 1973); Resolution 2852 (XXVI) of the United Nations General Assembly (December 1971).

Dissemination: An unappealing word

“Dissemination” may be an accurate and useful term as used in the Geneva Conventions and the Additional Protocols.³ However for many people the word can be off-putting or incomprehensible.

The dissemination programme of the British Red Cross Society did not enjoy much success until an alternative term was found for “dissemination”. The term adopted was taken from the then responsible Division at the International Committee of the Red Cross (ICRC) based in Geneva: Principles and Law. The description “Principles and Law” — referring of course to Red Cross Principles and International Humanitarian Law — was more attractive to the Society’s members than “dissemination”.

Still the word “law” continued to bother some people, law being seen as a dry and heavy subject beyond many persons’ capabilities. Consequently while retaining the name “Principles and Law” for our overall dissemination programme, we changed the name of our four-session, four-hour course on the subject from the “Principles and Law Course” to the “Ideals in Action Course”. In the dissemination business much is in the name.

Institutionalisation: Gaining acceptance

The Red Cross and Red Crescent movement, in its basic form, consists of organisations located in most countries throughout the world. As everyone knows, organisations have a life and behaviour of their own. Form can mean as much as substance, if not more.

Within an organisation, it is important for a dissemination programme to have a recognised status and existence at every level: for example, national, regional and local. This may be achieved in various ways and is dependent upon the specific circumstances. As illustrations, it might be possible to include a provision requiring dissemination activities in the organisation’s constitution; for the

³ See common to Articles 47/48/127/144 the 1949 Geneva Conventions, Conventions I-IV respectively; Article 83, Protocol (I) additional to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts 1977; Article 19, Protocol (II) additional to the Geneva Conventions relating to the Protection of Victims of Non-International Armed Conflicts 1977.

governing body to adopt a policy on the matter; for an official to be appointed, or a mixture of several measures. It is helpful to have a budget and to have one or more staff members responsible for such work.

Having an accepted position within the organisation will help to ensure that dissemination has a basic and continuing level of support. One negative aspect of becoming part of the establishment is the possible growth of complacency or inertia. However at this relatively early stage in the development of dissemination activity, when successes are rarely assured or measurable, it is unlikely that many, if any, dissemination programmes will be prone to these maladies.

Despite strong support by the most senior officers of the British Society, there remains the need to sell the Principles and Law Programme, to bring people with us, rather than to impose dissemination upon them. We must still work to convince not only leaders at local level, but also ordinary members.

Institutionalisation may also bring with it rigidity. As far as possible this must also be avoided. Having a recognised role also brings with it the possibility to plan and, within budgetary constraints, to take advantage of unforeseen opportunities to disseminate.

Recognising limits

It is important in dissemination activities, as it is in life, to recognise limits and to try to remain flexible. The international Red Cross and Red Crescent institutions have set out very helpful priorities and suggested means and methods of dissemination to the various designated target groups. But in the circumstances of a National Society's own community, the same priorities and techniques may not be applicable. So the Society must adapt ideas from various sources to the realities of its own public life and, if necessary, abandon or discard others. It is also necessary to experiment, for example by running pilot schemes.

Originally the British Red Cross had a four-session, four-hour course aimed primarily at its own members, involving visual aids and including discussion. The course was admirable for persons

very interested in the subject. However after a few years it became clear that the course was too rigorous and unexciting for most of the Society's members. A plateau had been reached. As a result, a two-tiered arrangement of instruction is being developed, consisting of a one-hour basic talk, with a video and, for highly motivated people, a revised four-session, four-hour course.

Will this new approach produce better results? One cannot say for certain. However before pursuing the idea, support was obtained from the various leaders and bodies within the British Society. It is felt that the new arrangement will help to reach more people, both within and outside the Red Cross. But if not, we will try to learn from our experience and then explore a different method.⁴

The importance of advisers

The British Red Cross has a Working Group on dissemination. This "Principles and Law Working Group" consists mainly of experts from outside the Society such as a former Director of Army Legal Services, an eminent historian, a professor of international relations and the present Head of Army law training. It also includes a senior officer of one of our local Branches who is expert in dissemination to our own members. The Group meets four times each year, offering advice on the general direction of the Principles and Law Programme. However Working Group members give additional time by speaking at training weekends for our Speakers in Principles and Law ("disseminators") and at seminars for academics and other target audiences. The help of such people, their contacts beyond the Society, have proved to be very valuable. Committed volunteer disseminators of such quality are extremely important.

⁴ The ICRC, often with the assistance of the local National Society, has given a lead by developing methods of dissemination to suit the specific needs of the audience concerned. These include the use of radio spots in the midst of the conflict in El Salvador; comic books in the local language for rural areas in the Philippines and Africa; mixing training in first aid and dissemination for Afghan refugees; staging theatre plays conveying a dissemination message for refugees at the Thai-Kampuchean border.

Problems and successes

It has been difficult to convince many of our members, including some leaders, of the relevance of knowledge of Red Cross Principles and International Humanitarian Law to their own work as volunteers. Perhaps understandably they cannot readily see its importance when their work for the Society is confined, for example, to pouring tea at a club for elderly persons or to providing first aid cover at public events. They live in a country fortunate enough not to have required the full application of the law of war for many years and consequently, there is a sense of irrelevance or unreality to dissemination efforts. Moreover the subject of Principles and Law is sometimes seen as technical and boring.

The one-hour basic talk, described earlier, may help with this. The presentation will be kept as short and simple as possible, eschewing unnecessary facts. Every effort is being made to make the talk attractive to a wide audience.

In addition the new conditions of adult membership, recently adopted for our Society, include a requirement for every new adult member to become acquainted with the origins, objects, Principles and activities of the Movement. This new rule may well assist dissemination—another example of the benefits of institutionalisation, of having a statutory foundation.

Our pilot training scheme for recruits of the Territorial Army, Royal Army Medical Corps was not a great success. However the experience was very useful in that it showed the importance of credibility, of our Speakers having the experience to be able to “talk the same language” (as it were) as the audience. Our relations with the Army, if anything, have been strengthened as a result of this venture. As noted before, good can arise from failure.

A seminar held for journalists soon after the South Atlantic (Falkland Islands/Islas Malvinas) Conflict in 1982 did not attract large participation. This illustrates the need to know the right people to approach and when and to know what will interest them. Advice from individuals knowledgeable about the characteristics of the specific target audience is invaluable.

We have held successful meetings for academics from universities and polytechnics, which have included participation by government officials and by lawyers from the Armed Forces. These people are interested in the subject and in learning more about it. Here, we have fulfilled an interest, if not a need. Our conference speakers have included staff members of the ICRC and the Henry Dunant

Institute, and their participation has been extremely beneficial. It has also helped to have as a speaker an academic expert in the field from outside the United Kingdom.

The general training programme for our youth members has always contained an international element. Thus in this respect they have been in advance of their adult counterparts. In conjunction with our Youth department, we will soon be holding a weekend for youth trainers, to consider ways of improving the presentation of Principles and Law to Youth members. The decentralised school system within the U.K. has made it difficult for our Society to do much in schools. However a national Schools Strategy has recently been approved which could include talks on Principles and Law matters.

We have done very little with medical circles, concentrating heretofore on our own members and academics. We feel we need to find disseminators capable of making the subject relevant to health professionals—again illustrating the need to “speak the same language”.

Difficulty of evaluation

How effective has our dissemination programme been? This is very difficult to assess. Indeed without scientific methods of testing, one is tempted to say that the effectiveness of our programme will only be known at the time of the next armed conflict in which we are involved! Actually the situation is not quite as macabre as this. We know, for example, that as a result of our work with academics, a few universities have established a course in the law of war or have included more law of war in existing courses. We also know that we have reached a certain small percentage of our membership, although we do not know the depth of their understanding. An increasing number of students and scholars use our reference library and seek our advice on their research. Contacts are good with the armed forces and with certain government departments, whom we can help with information and, to a limited extent, aspects of training. We have a lot of work to do all round but one can say with certainty that our dissemination programme has made a positive contribution to increasing knowledge of Principles and Law in different, albeit somewhat limited, areas.

Viewing dissemination in a broad sense, the public profile of our Society has improved in recent months, largely (it would seem) through the efforts of our Information (publicity) Department. Our work, especially in the international sphere, has received increased media attention and to date our fund raising is up. Events at the recent International Conference may cost the Society some support, at least in the short term. However the letters received from the public show awareness and appreciation of the unique role of the Red Cross and of support for its established Principles.

A two-to-five year plan

The British Red Cross is in the process of formulating a two-to-five year plan which will cover each of the designated target audiences. Although such an approach has been under consideration for some time, the recommendations arising from the regional seminar on Dissemination held in Baden/Vienna in June 1986 have served as a catalyst, thus showing that international meetings can produce concrete results. Our priorities may not match those of the movement internationally: for example, the need for our Society's assistance to our armed forces may be less than the need for our help to academics. Also, to date it has been felt that we can achieve more through informal contacts with the relevant government officials than through promoting the establishment of a formal Inter-ministerial Committee (this is despite earlier advice on institutionalisation). Again, a National Society must know the peculiarities of its own country or system and act accordingly.

Concluding thoughts

Dissemination is a continual learning process for everyone involved. A hard-nosed, realistic approach is needed, along with a creative and crusading spirit. It is important to set tangible targets and priorities, while retaining flexibility and a sense of dynamism: another difficult balancing act. It would be useful too to develop methods of evaluation in order to be able to measure the programme's effectiveness. One needs to be able to put oneself into the

position of the target group under question and to understand how to make the subject meaningful for them. In this respect, expert advice can be invaluable. One should have the sensibility of both a preacher and sceptic, maintaining as far as possible a certain distance and perspective. One also needs to be a good organiser and have a sense of professionalism. Within this small island kingdom, the way forward seems to be through eclecticism: in part we need to show that understanding of international or supranational concepts and issues is in the individual's own self-interest. The importance of personalities, of the contributions of talented and respected individuals, cannot be overemphasised. It is hoped that perhaps in some small way, the preceding observations will be interesting to all those engaged in the vital, often unsung, humanitarian mission of dissemination.

Michael A. Meyer

Michael A. Meyer is Head of the Legal and Committee Services Department at the British Red Cross. A graduate of Yale University in the United States, Mr. Meyer has graduate degrees in international law and in international relations from the University of Cambridge in the United Kingdom. Mr. Meyer is a barrister and writes on humanitarian matters. He is an associate member of the International Institute of Humanitarian Law, San Remo, Italy.

INTERNATIONAL COMMITTEE OF THE RED CROSS

Missions by the President of the ICRC

On the occasion of the Eighteenth Conference of Arab Red Crescent and Red Cross Societies, which was held in Doha (Qatar) from 2 to 5 March (*see account on p. 224*), Mr. Alexandre Hay, the ICRC President, and Mr. Cornelio Sommaruga, the President elect, visited several Gulf countries from 21 February to 5 March. They were accompanied by Mr. Serge Nesi, Head of the Financing Division.

Mr. Hay was thus able to introduce his successor to officials in the main *Gulf countries* and continue the dialogue with them. The discussions mainly concerned ICRC activities in Islamic countries, notably in connection with the Iran-Iraq conflict, the dissemination of international humanitarian law and the financing of ICRC activities. The National Societies visited, which conduct various activities both nationally and internationally, expressed their willingness to co-operate with the ICRC.

In *Saudi Arabia*, the ICRC presidential party met Prince Saud Al-Faisal, the Foreign Minister, Ambassador Gafaar Allagany, his Director for international organizations, the Minister of Health and leading officials of the Saudi Arabian Red Crescent Society.

In *Kuwait*, the ICRC President and his successor had talks with officials of the Kuwait Red Crescent Society, including Mr. Abdul Aziz Al-Saqer, its President, and Mr. Barges Hemoud Al-Barges, the Secretary General.

They also met Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, the Deputy Prime Minister and Minister of Foreign Affairs, and Mr. Rashid Abdulaziz Al-Rashid, Minister of State for Cabinet Affairs.

In *Bahrain*, they met leading officials of the National Society, Sheikh Mohamed Bin Mubarak Al-Khalifa, the Minister of Foreign Affairs, and Dr. Ali Fakhro, who is both Minister of Education and President of the Bahrain Red Crescent Society.

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From 15 to 17 March, Mr. Hay and Mr. Sommaruga, accompanied by Mr. Michel Veuthey, delegate-general for Europe and North America, went to *Rome* where they were accorded a private audience by His Holiness Pope John Paul II. They also met Cardinal Casaroli, Secretary of State, Mgr. E. Martinez Somalo, deputy Secretary of State and Mgr. A. Silvestrini, Secretary of State for the Public Affairs of the Church.

At the Italian Ministry of Foreign Affairs, the ICRC representatives had talks with Mr. Giulio Andreotti, Minister of Foreign Affairs, Ambassador Renato Ruggiero, secretary general, Ambassador Patrizio Schmidlin, director general of the Department of Co-operation in development, Ambassador Boris Biancheri, director general of the department of political affairs, and Ambassador Franceschi, who heads Italy's Permanent Mission in Geneva.

This visit to Rome by Mr. Hay and his successor is part of the ICRC's current effort to make its activities better understood by the States party to the Geneva Conventions and to impress on them its concern in the face of the grave violations of humane standards today being committed in several armed conflicts. The visit was also an opportunity for Mr. Hay to convey to the Italian authorities the ICRC's gratitude for the financial support provided by their country in the past several years and to express his confidence that this support will be maintained and perhaps augmented in future.

During their stay in Rome, Mr. Hay and Mr. Sommaruga also met representatives of the Italian Red Cross. These were Dr. Ugo Ciantelli, Deputy Commissioner, Professor Renato Pons, Director General, Mrs. Manuela Lavagnino, head of the International Affairs department, Mrs. Maria-Pia Fanfani, Vice-President of the League and Chairman of the National Women's Committee of the Italian Red Cross.

Death of Mr. Michel Testuz

(Thursday 2 April 1987)

The ICRC learnt with deep sadness of the death of Mr. Michel Testuz, former editor of the *Review*, as a consequence of the heart attack which had forced him to be absent from the ICRC since autumn 1985.

Mr. Testuz began his career with the ICRC in 1948: while engaged in special studies at the School of Archaeology in Jerusalem, he was recruited to work for the ICRC in Palestine.

From 1950 to 1960, he first continued his studies and then taught Hebrew language and Literature at the universities of Rome, Lausanne and Geneva. During 1960, he gave courses at Geneva University and at the same time was curator of the Bodmer Library. Over the same period he published about ten works of scholarship, several articles for periodicals and a number of other papers.

In 1960 he rejoined the ICRC and was sent to Japan as head of delegation, a post he held until 1968. Between 1968 and 1970, when he was head of delegation in Cambodia, he also conducted numerous missions to various neighbouring countries.

He was recalled to Geneva in 1970 to take up the post of deputy delegate-general for Asia. From 1971 to 1973 he was back in the field as head of delegation in Pakistan. He headed the delegation in Cairo in 1976.

When Mr. Jean-Georges Lossier retired, Mr. Testuz became editor of the *Review* and from 1977 he skilfully edited this publication until bad health forced him to leave in the autumn of 1985.

Mr. Testuz was a highly cultivated man and a humanist in the real sense and, as those who knew him can confirm, a most unassuming person. Extremely agreeable to those with whom he associated, during his many missions he was able, better than anyone else, to grasp and to respect the differing sensibilities of the people he met. Witty and amusing in the company of friends, Mr. Testuz was very careful never to hurt anyone.

As editor of the *Review* he was very exacting and his readers always appreciated this quality in him.

The staff of the ICRC and his numerous friends throughout the world will remember him with affection.

The “Tracing and Mailing Services” in aid of the “Boat People”

In Resolution XVI (The role of the Central Tracing Agency and National Societies in tracing activities and the reuniting of families), the Twenty-fifth International Conference of the Red Cross (Geneva, October 1986)... “recalling the role which the Central Tracing Agency (CTA) of the ICRC plays as a co-ordinator and technical adviser to National Societies and governments, as defined in the report presented by the ICRC and the League and adopted by the Twenty-fourth International Conference of the Red Cross,”... and “recognizing that, in order to take effective action, the Movement must be able to rely on a sound network composed of all the National Societies’ tracing services and the CTA, in liaison, when necessary, with the League Secretariat,”... encouraged the CTA “to continue its efforts to co-ordinate activities, to harmonize operating principles and working methods, and to train responsible tracing personnel,” and requested “all National Societies to carry out to the best of their capacity the role which they are called upon to play as components of the international network for tracing and reuniting families”.

To illustrate the CTA’s co-ordinating role and the work of the National Societies in tracing and reuniting families, the Review has chosen to interest its readers in the activities of the “tracing and mailing services” (TMS) created under the auspices of the CTA within several National Societies in South East Asia to help the Boat People who are the victims of the most tragic drama of our times.

This survey written by Pierre Ryter, deputy head of the CTA/Asia Sector, also bears witness to the excellent co-operation which exists between the United Nations High Commissioner for Refugees and the ICRC.

At the end of the 1970s international public opinion was brusquely made aware of the Boat People phenomenon; tens of thousands of these people risked their lives to leave Viet Nam and seek refuge wherever the winds and tides brought them. The urgent need for international action to help the survivors was very soon recognized and the purpose of this article is to describe the work of the ICRC and the National Societies of the various countries affected by this new type of migration.

ORIGIN OF THE TRACING AND MAILING SERVICES

The Office of the United Nations High Commissioner for Refugees (UNHCR), by its mandate, is the very organization to come to the aid of the Vietnamese Boat People (VNBP). It registers the people in the various camps in countries of first asylum, looks after the administration of these camps (in some countries in co-operation with the Red Cross and Red Crescent Societies and the League) and helps resettle the VNBP in countries of final asylum. These tasks are in complete accordance with the UNHCR's mandate, however the UN body is not geared to handle the innumerable VNBP tracing requests. The ICRC Central Tracing Agency (CTA) became engaged in this kind of work after the political changes in 1975 in Phnom Penh, Ho Chi Minh City and Vientiane. Having kept a delegation in Ho Chi Minh City at the time when Viet Nam was cut off from the rest of the world, the ICRC was one of the few remaining links for tens of thousands of families separated by the events. In March 1979 the CTA had an "Indo-China file" containing 400,000 to 450,000 card indexes, as well as a list of 130,000 Vietnamese evacuated by the United States upon the fall of Ho Chi Minh City. Therefore it is quite natural for the ICRC to consent to handle tracing activities as regards the VNBP. An agreement was signed in Geneva on 5 September 1979 between the UNHCR and the ICRC formalising the division of tasks between the two organizations.

It very soon became evident that it was impossible to answer quickly the tracing requests only on the basis of information collected in Geneva by the CTA. The Red Cross and Red Crescent Societies in the countries of first asylum were called upon to help in tracing the VNBP. Within the National Societies of Thailand, Malaysia, Singapore, Indonesia, the Philippines, Hong Kong and Macao during the summer of 1979 the CTA set up tracing units and a postal service which later came to be known as the Tracing and Mailing Service (TMS).

HOW THE TMS WORKS

The TMS "network" has a twofold purpose. It must enable VNBP who have just arrived in a country of first asylum to contact family members living in a country of resettlement, and must answer tracing requests from the latter who have heard that a

relative has left Viet Nam by boat and are without further news. For the Boat People, re-establishing family ties is often tantamount to finding a country of reception since family reuniting is the determining factor in the choice of refugees accepted by the immigration services of the host countries. The relief of asylum seekers residing in these countries is self-evident when they receive news of relatives who left Viet Nam by sea, especially when one bears in mind that only approximately 50% of the VNBP arrive safe and sound in a country of first asylum.

Each TMS office keeps a manual file with the names of people about whom tracing requests in the country have been made, the names of people passing through or having passed through the country, and the names of the ships on which they arrived (this information is supplied by the UNHCR on the spot.) In Geneva the CTA puts on to a central computer the information obtained by each national TMS together with tracing requests submitted to it (a total of 650,000 names).

The follow-up to a tracing request can be quite complex. For example, on the basis of information supplied by the enquirer, the American Red Cross might channel a request to the Malaysian TMS; after checking in its file, the latter might send the request on to the Philippine TMS which, if unable to find the person sought, would forward it to the CTA in Geneva for final handling. Clearly, co-ordination between each TMS and the CTA is of prime importance. Precise standard working procedures, developed in the light of past experience, must be defined and brought to bear. Every year representatives from each TMS and from the CTA meet to assess the state of the network. At the 1986 workshop in Jakarta the participants decided that, since the network was running so smoothly, the advisability of having a meeting in 1987 would be discussed during the current year.

TMS PROBLEMS

The fact that the network is running smoothly in no way means that there are no problems. From a purely technical point of view the Tracing and Mailing Services in South East Asia are working in perfect co-ordination with the CTA in Geneva. Difficulties can arise when an enquiry from a TMS must be handled by the tracing service of a National Society. The help of some Red Cross Societies is crucial in answering tracing requests by VNBP in countries of

resettlement. (In 1986 approximately 70% of the total number of enquiries opened had to do with this kind of request.) Many VNBP desperately try to find relatives who have already been resettled and could thus sponsor them. The tracing services of the asylum countries' National Societies often can no longer cope with the flood of tracing requests. Since the people sought are mostly former refugees, these services turn to the immigration services as an initial source of information. The latter are in turn overwhelmed with enquiries and, perhaps deciding to curb the inflow of migrants, are slow in replying. The VNBP who have submitted the enquiries remain without any news and keep continually contacting the TMS which has forwarded their enquiries to the National Society concerned. Eventually they become discouraged and in the long term this can result in a loss of credibility for the TMS network; unable to influence the immigration services policy in certain countries of asylum it is powerless to improve the quality of its own services.

Clearly, in this context the overall problem of tracing cannot be dissociated from the more general problem of resettling Vietnamese refugees. The Boat People phenomenon has lasted now for more than seven years. Just as legal immigration from Viet Nam under the auspices of the UNHCR, after a promising start (29,184 people in 1984), is tending to slow down (no more than 18,418 departures in 1986), VNBP departures for resettlement are also declining (24,431 in 1986 as against 32,801 in 1984). The Boat People exodus, caused by the Vietnamese conflict has become less sensational, but even though the number of VNBP arriving in countries of first asylum is tending to decrease (19,575 arrivals in 1986 as against 24,865 in 1984), their migration goes on. If the number of legal departures continues to be so low, then the Vietnamese may yet be seen heading out again to sea in an attempt to force the hand of destiny.

TMS — OUTLOOK FOR THE FUTURE

The five Tracing and Mailing Services which still exist in South East Asia (Singapore and Macao left the network in 1983) still have a considerable volume of work (4,000 VNBP sought in 1986, 310,000 letters forwarded) and this workload is unlikely to diminish appreciably in the immediate future. Nevertheless, the question already arises as to what to do with this patiently installed infrastructure when refugees no longer set out to sea. It would be a pity

not to make use of the experience and motivation of some of the 75 Red Cross and Red Crescent employees presently employed by the TMS in other Agency activities. Already some TMS are assisting victims other than VNBP (for example, the Hong Kong TMS plays a large role in re-establishing family ties between the Chinese in the People's Republic of China and the Chinese in Hong Kong). These people's experience could well be used one day to help trace people at times of natural disasters or any other event which results in families being separated.

As regards the know-how gained within the TMS network, although the technical success cannot be disputed (since 1979, 1,200,000 letters have been forwarded and 70,000 people sought, 28% of whom were found) and although co-operation between the ICRC, the National Societies and the UNHCR is exemplary, care must be taken not to lapse into blissful self-satisfaction. As we have seen, the results of enquiries submitted to the National Societies in countries of immigration are disappointing and everything must yet be done to enable the existing TMS to remain operational once the flow of Boat People arrivals has come to a definite halt.

Recognition of the Grenada Red Cross Society

Geneva, 18 March 1987

*To the Central Committees of the National Red Cross
and Red Crescent Societies*

LADIES AND GENTLEMEN,

We have the honour to inform you of the official recognition of the Grenada Red Cross Society by the International Committee of the Red Cross. This recognition, which took effect on 12 March 1987, brings to 145 the number of National Societies members of the International Red Cross and Red Crescent Movement.

Founded in September 1955, the Society officially applied for recognition by the International Committee of the Red Cross on 3 December 1986. In support of its application it forwarded various documents, including the text of its Statutes and a copy of the "Grenada Red Cross Society Law, 1981" attesting that the Grenada Red Cross is recognized by the government as a voluntary aid Society auxiliary to the public authorities in accordance with the provisions of the First Geneva Convention of 1949. Reports on the Society's activities during the two previous years were also submitted.

All these documents, which were examined jointly by the International Committee and the Secretariat of the League of Red Cross and Red Crescent Societies, showed that the ten conditions for the recognition of a new National Society by the International Committee had been fulfilled.

The International Committee and the League have observed the activities of the Grenada Red Cross since 1982. Representatives of the two institutions have ascertained that the Grenada Red Cross

has a well-developed operational capacity. It has an infrastructure enabling it to act throughout the national territory and its work embraces several activities: information, services to the community (helping the aged, home helps, working in hospitals) by young volunteer workers, training first-aid workers and disaster relief work preparedness.

Grenada, a former British colony, attained independence on 7 January 1974 and became Party to the Geneva Conventions of 12 August 1949 by a declaration of succession received on 13 April 1981 by the Swiss Federal Council and taking effect from the date of its independence.

The Grenada Red Cross is presided over by Mr. Christopher A. Williams. The Secretary-General is Mr. Simon Charles. The Society's headquarters is in St. George's. Its address is as follows: Grenada Red Cross Society, P.O. Box 221, St. George's.

The International Committee of the Red Cross has pleasure in welcoming the Grenada Red Cross Society to membership of the International Red Cross and Red Crescent Movement and in accrediting it and commending it, by this circular, to all other National Societies. It expresses sincere good wishes to the Society for its future and for the success of its humanitarian work.

FOR THE INTERNATIONAL COMMITTEE
OF THE RED CROSS

Alexandre HAY
President

EXTERNAL ACTIVITIES

January-February, 1987

Africa

Sudan

In southern Sudan, relief supplies were distributed in January in the Narus region, where 10,200 persons received 145 tonnes of sorghum, 28 tonnes of beans and 18 tonnes of oil. Further distributions of foodstuffs were carried out in the first week of February (291 tonnes). On 18 February the recipients of the "seed and implements" project were once more registered systematically: 22,800 persons were registered in Narus and the three neighbouring camps. Distributions began at the end of February. The Narus feeding centre continued to admit children suffering from malnutrition: in January, 476 children were cared for at the centre. A surgical hospital, gift of the Finnish Red Cross, was set up at Lokichokio, in Kenya, to treat wounded persons arriving from southern Sudan. The despatch of food aid to Tigray and Eritrea was continued as in the past. In January, 1,230 tonnes were sent to Tigray and 730 tonnes to Eritrea.

In Khartoum, a dissemination seminar, organized by the ICRC and the Military Justice Branch of the Defence Ministry, was held for Sudanese officers from 1 to 15 February. Twenty-six officers took part in this seminar, the second of its kind; the first took place in 1984.

Chad

In Chad, the ICRC delegates again made visits to the detention centre at N'Djamena and continued negotiations to obtain access to the Libyan prisoners of war. On 10 January, one of these prisoners was registered in Fada.

From 8 to 11 January, a survey was made in Fada to ascertain the state of the wounded arriving from the north and to propose emergency medical assistance if required. The delegates found that the situation was under control and distributed 4,000 Swiss francs' worth of basic medical supplies. A second survey was carried out in Kouba Oulanga, Kalait and Fada at the end of January.

On 13 February another ICRC team went to the Nokou area, to the north of Lake Chad, where a Chad medical post has been set up in Maftus; they gave medicines and medical supplies to the dispensary there which provides first aid to the wounded evacuated from the Zouar area.

Uganda

A full visit to Luzira Prison near Kampala was completed on 8 January and a report delivered to the authorities. In the Luwero triangle, three children were reunited with their parents. Since the family reuniting programme was initiated in October 1986, 12 unaccompanied children have so far been reunited with their relatives. From 13 to 18 January, an ICRC nurse assessed the nutritional and medical needs of persons fleeing the Gulu area because of the fighting. While the food shortage did not appear to be too bad, the medical requirements were much more serious as there was no medical infrastructure of any kind in this zone. The ICRC nurse, however, was unable to travel around, for security reasons. A consignment of 310 kg of medicaments was nevertheless despatched from Kampala to Kitgum. Several relief missions were carried out in the north of Uganda: during January, 2 tonnes of blankets and clothing, 234 kg of kitchen utensils and 172 kg of soap were distributed to some 6,000 displaced persons in the Gulu area.

Several lectures on dissemination were given to members of the Uganda Red Cross Society, of the armed forces and of the general public.

Namibia/South West Africa

A further visit to Windhoek Prison was carried out on 26 and 27 January; it contained 13 sentenced security prisoners and 11 awaiting trial. In connection with the general situation in the country, ICRC Central Tracing Agency delegates collected 24 Red Cross messages written by detainees to their families; in addition, 59 messages were exchanged between civilians in Namibia and others in Angola.

About one hundred food parcels were distributed to the detainees' families, besides one tonne of foodstuffs in bulk.

Clinics and dispensaries caring for children suffering from malnutrition in the Owambo and Kavango regions were provided with cereals, powdered milk and oil.

Angola

In January, the ICRC supplied several groups of inhabitants of the Planalto with food because of the worsening food situation which had already been observed at the end of 1986. Conditions were particularly serious in and around Huambo; the ICRC and the Angolan Red Cross therefore opened a feeding centre for children suffering from malnutrition in this place. During January, the number of people to whom foodstuffs were distributed rose to 120,000 persons in the provinces of Huambo, Bié and Benguela. Relief supplies were also handed over to the National Society, to be distributed to hospitals, churches and missions.

On 9 January, a Portuguese national, captured by UNITA forces in 1986, was released and handed over to ICRC delegates, who took him to Pretoria, where he was received by the consular representatives of Portugal.

Latin America

Suriname

In January and February, several visits were carried out to Fort Zelandia Prison at Paramaribo. In addition, an ICRC delegate and a doctor were authorized by the Suriname Government to travel to

the eastern part of the country. They left on 28 December for the Moengo area (in the north-east), and then travelled by dug-out canoe up the River Maroni. The inhabitants with whom the delegates spoke said there was nothing they particularly needed.

Chile

Since 2 January, the ICRC has had access to all detention centres of the “Policía de Investigaciones”, where security detainees are held.

El Salvador

On 29 January, 39 wounded guerrillas were evacuated by the ICRC by air to countries willing to accept them. On 2 February, an officer of the armed forces was released by the guerrillas at Perquin, while 57 persons held by the government were released in San Salvador. On 1 and 2 February, 19 war disabled were handed over to the ICRC, who escorted them to San Salvador, where they were placed under the protection of the Church. These three operations were performed under an agreement between the government and the opposition, under the auspices of the Church. In addition to those operations, the ICRC continued its periodical visits to security detainees held by the government, also its assistance programmes in aid of the civilian population in the conflict zones. In this connection, a project to distribute seed, fertilizers and insecticides was begun in February in three localities of the Morazan region.

Nicaragua

In January, the procedure concerning visits to detention centres run by the National Penitentiary System was reviewed in conjunction with the authorities, with a view to improving the work of protection in the prisons. Accordingly, in 1987 the ICRC is to visit the two main detention centres in Managua—Tipitapa and Zona Franca—five times, the six provincial penal centres four times, and the prison farms once. The visits began on 11 January at Tipitapa, where the ICRC delegates spoke, without witnesses, with 370 detainees. In addition, 600 detainees were seen in the centres at

Chinandega, Granada, Esteli, Juigalpa and Matagalpa. Assistance activities, including medical and relief work, were continued, mainly in the north and along the Atlantic coastal area.

Asia

Thailand

On 26 January, evacuation site No. 2, along the Khmer-Thai border, was shelled. Only a sparsely inhabited part of the site was hit, but eight persons were wounded and were transported to the Khao I Dang surgical hospital in ICRC ambulances. This incident once again showed that the evacuation sites should not be considered to be entirely safe zones, even though the Khmer-Thai border had gone through a period of calm during recent months.

Conflict in Afghanistan

Following an agreement concluded between the Government of the Democratic Republic of Afghanistan and the ICRC, the latter was allowed, at the end of January, to carry out protection and assistance activities in aid of the victims of the conflict in Afghanistan. The agreement provided that the ICRC would be able to visit all prisoners, in conformity with its usual criteria. The visits were expected to begin at the end of February at Kabul's Pul I Charki Prison.

In relation to assistance, an agreement was signed with the Afghan Red Crescent with a view to establishing an orthopaedic programme for war disabled. Work has already begun in Kabul, where three ICRC specialists will be in charge of the joint Red Crescent/ICRC project. Furthermore, a programme of surgical assistance to war casualties is expected to be set up, once the needs have been assessed by an ICRC doctor in co-operation with the Afghan Red Crescent. Lastly the ICRC is to set up a programme for disseminating knowledge of international humanitarian law and of Red Cross Principles, intended primarily for the armed forces and security services.

On the other side of the border, in Pakistan, the two ICRC hospitals at Peshawar and Quetta took in 143 and 112 wounded

respectively in January, and 176 and 67 wounded in February, as a result of the fighting which took place during that period in the neighbouring Afghan provinces.

East Timor

In January, the families of persons detained in connection with the incidents in East Timor and imprisoned in Djakarta were enabled to visit their relatives after they had been separated for over two years. This operation was organized and financed by the ICRC.

On 6 and 7 February, the tenth repatriation operation of former Portuguese officials in East Timor was carried out: 3 former officials and their dependents (30 persons in all) were flown to Lisbon. Since January 1986, ten such operations have taken 266 persons back to Portugal. Between 10 and 18 February, a new mission was carried out to assess the situation of the displaced persons who had been first sent to Atauro and then taken back to the main island of East Timor. The ICRC delegates saw 1350 people in the districts of Los Palos and Baucau; they also investigated the situation of 650 other persons whom had brought there in November 1986 from Calaiço by the ICRC.

Burma

On 21 February, an agreement involving a new project in aid of disabled soldiers in the Mingoladon Orthopaedic Centre at Rangoon was signed with the appropriate Burmese authorities. It was also agreed that the ICRC was to continue its orthopaedic programme for civilians.

Philippines

In January, a follow-up visit was carried out by an ICRC doctor to Aparri and Tuguegarao Prisons in Cagayan province, where a food aid operation for the detainees had been undertaken. A further mission was carried out to Iloilo Prison on Panay Island to disinfect the prison and treat detainees suffering from scabies. In addition, 70 detainees were seen in 11 places of detention—both

civilian and military—on Cebu Island, and in Negros Oriental, Bohol and Leyte.

On Mindanao Island, the ICRC delegation pursued its assistance activities for displaced persons, in close co-operation with the National Society.

A number of assessments were made at several places on the island and were followed by general distributions of rice and oil: a total of 7,000 persons received 34 tonnes of foodstuffs, while in certain mountainous areas, 220 blankets were distributed.

Middle East

Lebanon

In January and February, fighting continued to take place around the Palestinian camps on the outskirts of Beirut, at Chatila and Bourj-el-Brajneh, and at Rachidieh near Tyre. There was fierce street fighting in West Beirut between rival militias from 16 to 20 February. The ICRC was regularly in touch with the parties to the conflict, to remind them that it was ready to bring assistance to the victims. Despite its approaches and two public appeals, the ICRC delegates did not obtain access to the camps. On the other hand, the Lebanese Red Cross managed, on two occasions in January, to evacuate 47 persons (women, children and wounded people) from Rachidieh camp. One Lebanese Red Cross first-aid worker was killed and two others were wounded when their ambulance was caught in the combatants' fire. They were part of a unit that had just taken a casualty to a hospital. Between 16 and 20 February, although street fighting in the capital made it particularly difficult to evacuate the wounded, the Lebanese Red Cross workers were able to transfer 280 persons, 145 of whom were wounded or sick, and to treat on the spot 120 minor casualties.

During that same period, an emergency first-aid post was set up by the ICRC medical team in the delegation shelter; several dozen slightly injured persons were treated here. A number of assessments were also carried out by the ICRC teams in those medical centres and hospitals which they could reach, and medical materials and medicines to a value of 234,000 Swiss francs were distributed.

In January and February, over 2,000 family parcels and 12,000 blankets were distributed to persons whose homes had been des-

troyed. During the same period, about 4,000 Red Cross messages were transmitted by the ICRC in Lebanon.

Iran/Iraq conflict

Following the shelling of civilian objectives, by both Iraq and Iran, the ICRC appealed to the two parties to the conflict to cease these violations of international humanitarian law. On 11 February, a solemn appeal was handed to the two parties, and the ICRC asked the Member States of the United Nations Security Council to express their support for this appeal.

In Iraq, the ICRC delegates visited in January 7,114 prisoners of war in six camps. In February, four camps and 5,645 prisoners of war were visited.

In Iran in January, the delegates visited 4,682 Iraqi prisoners of war in three camps, and the following month they began their sixth camp visit following resumption of the ICRC's protection activities in Iran in December 1986. During that period, 358,247 Red Cross messages were exchanged between the prisoners of war and their families.

IN THE RED CROSS AND RED CRESCENT WORLD

Together again

The Review is particularly happy to publish an article in its columns which was received from the Alliance of Red Cross and Red Crescent Societies of the USSR. This article is devoted to two sisters, Natalya and Galina Golovacheva, who were reunited after 42 years. It is worthwhile both for its invaluable emotional connotations and for the expression of solidarity it evinces between National Societies and the ICRC.

Natalya sent an enquiry to the Alliance to find out what had happened to her sister and as a result a query was submitted to the International Tracing Service (ITS)¹ which is an integral part of the ICRC Central Tracing Agency (CTA). The ITS discovered that Galina was living in Belgium thus enabling the Central Tracing Agency to contact the Belgian Red Cross and, through it, to find Galina and help her to get in touch with Natalya.

As chance would have it, the ICRC was making a film on co-operation between the CTA and the National Societies and so the reuniting of the two sisters in January 1987 was included in the film as a most apt illustration. The film producer, Jean Daniel Bloesch (a former CTA delegate), went to Belgium to film Galina and then, thanks to the helpfulness of the Alliance of Red Cross and Red Crescent Societies of the USSR, he obtained the authorization to meet Natalya in Moscow. Galina also went to Moscow with the film crew and the Alliance arranged for the two sisters to meet in front of the cameras.

In addition, Galina and Natalya appeared on the Soviet television news, laid a bouquet of flowers on the tomb of the unknown soldier in memory of their father and visited the Alliance's Tracing Service.

¹ For a report on the activities and history of the ITS see pp. 238.

SISTERS MEET FORTY YEARS AFTER WAR

In April 1985 Natalya Golovacheva, a 60-year-old resident of Tomsk (Siberia), asked the USSR Alliance of Red Cross and Red Crescent Societies to help her in finding her sister Galina. The two sisters lost each other in April 1945 in Germany, where they had been forcibly brought from Kursk by the Nazis. The search was carried out through the Central Tracing Agency and ended in Brussels, where Galina Golovacheva, the widow of the Belgian Noel Thomas, was living in an old people's home. In January 1987, after more than 40 years, the two sisters met in Moscow.

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Before Nazi Germany's attack on the Soviet Union the Golovachevs lived in Kursk, a city located a thousand kilometres from the USSR's western border. Natalya, 16, was a schoolgirl and Galina, 19, was a medical student. When the war broke out their father left Kursk because his enterprise was moved east. He was killed in an air raid on his way to the new location.

Kursk was occupied by the Nazis, and German officers settled in the Golovachevs' house. In the severe winter weather, the mother and the two girls huddled in the half-ruined shed without warm clothes, firewood or food. All they had to eat was food for the poultry, which the invaders had allowed them to take. The Nazi occupation cut through the sisters' memory like a horrible nightmare: public executions, corpses set up in the streets to intimidate people, curfew, night shooting and violence.

In the spring of 1942 Natalya and Galina were ordered to register for deportation to Germany. Those who did not report were shot. The mother, though above the age limit, went to the assembly point with her daughters.

They were crammed into a truck and taken to the "sorting" camp in Brest, at the USSR-Polish border. There, the sick were shot. Out of the 1,500 people who arrived, less than half remained alive.

From Brest the Golovachevs were taken to Brunswick (West Germany) and sent to work at the Schmalbach can factory. They worked from 12 to 14 hours a day, receiving 200 grams of rye bread, and swede or turnip soup. Women were starving and dying, many of them of TB.

Among the workers was a German political prisoner called Ernst. He felt sorry for Natalya, and his wife would secretly give her a little piece of bread with margarine every day. "You are young, you must live, and Hitler is doomed", he would tell her. "Maybe we owe our lives to Ernst", Natalya recalls.

At the factory Galina became acquainted with a Belgian prisoner, a member of the Resistance Movement, Noel Thomas. He was actively involved in the camp's underground activities. Galina and other Slav girls helped him organize the escape of three French prisoners.

The war was drawing to an end and the prisoners were eagerly awaiting the arrival of the liberators. The camp fence had been destroyed in an air raid and energetic Noel decided to run away with Galina, without waiting for the Americans. "I'll find you very soon" was Galina's last phrase to her mother and sister. Fate decided otherwise.

Nazi Germany surrendered. Natalya Golovacheva and her mother returned to Kursk. In 1946 they were told that Galina was dead.

But she was alive. Noel had taken her to his mother's home in Brussels. She sent letters to her old address and to other relatives, but there was no response. Years passed. Galina and Noel became the parents of two daughters. Noel suffered from a grave illness and in 1969, at 50, he died. Galina had to work hard all her life. She was a charwoman and a dishwasher, she worked in a bakery and sold newspapers. Her last job was that of a chemical technician at the Brussels Free University, where she applied the knowledge gained at the medical institute before the war. Now she lives in an old people's home. She often visits her daughters and is very fond of her grandchildren.

Now why did Galina's letters to the Soviet Union remain unanswered?

Learning about her death the mother and sister stopped waiting for her. After graduating from the technical school Natalya had asked to be sent to work in Siberia. The war had scattered many of her former acquaintances and relatives, and some of them were dead. (A total of 20 million Soviet citizens were killed in the war, about half of them civilians. More than 1,700 cities were destroyed.)

In Siberia Natalya Golovacheva entered a building institute and after graduation worked in a building department for more than 30 years. She never married, sharing the fate of many women whose sweethearts were killed in the war. She adopted a six-year-old girl and became the guardian of her two brothers. At the age of 50 Natalya's mother died. Natalya herself is now retired and lives with her daughter, who is married and has two children.

At the beginning of 1985 Natalya was told that a foreigner was trying to find her relatives in Kursk. Who the foreigner was Natalya did not know, but a hope that her sister might be alive filled her heart. On July 8, 1985, she turned to the Alliance, which sent an inquiry to the Central Tracing Agency of the ICRC in Geneva. On October 9, 1986, Galina's address was traced.

In January 1987, the Alliance, the ICRC and the Belgian Red Cross organized Galina's four-day trip to the USSR, and after more than 40 years the sisters met again. Both of them wept tears of joy and sorrow at once—the joy of finding each other and the sorrow for their youth lost in the war.

More than 40 years have passed since World War II, but the wounds it has left in human hearts are still bleeding. The Soviet Red Cross still receives about 30,000 letters annually from Soviet and foreign citizens wishing to find out the fate of their relatives lost during the war.

Activities of National Red Cross and Red Crescent Societies

In this issue, which is devoted mainly to efforts to disseminate the knowledge of international humanitarian law, the Review has pleasure in presenting, by way of illustration, the activities of the Republic of Korea National Red Cross in connection with dissemination to various sectors of society through its Humanitarian Law Institute.

THE HUMANITARIAN LAW INSTITUTE OF THE REPUBLIC OF KOREA NATIONAL RED CROSS

The Humanitarian Law Institute of the Republic of Korea National Red Cross (ROKNRC) was founded on January 8, 1976, the 73rd anniversary of the accession by the Imperial Korean Government to the first Geneva Convention of 1864.*

Its objective is to act as an auxiliary to the public authorities in the dissemination of international humanitarian law (IHL) as well as of Red Cross Principles to different target groups throughout the country. Its basic activities are to make Red Cross ideals better known to the public, to disseminate the Geneva Conventions and international humanitarian law, to guide and control the use of the Red Cross emblem, to undertake research in and collect the materials on Red Cross ideals and IHL, to operate other programs relating to IHL research and dissemination, to maintain a Red Cross library and to conduct studies assigned to the Institute on a mandatory or contract basis.

The Republic of Korea National Red Cross puts emphasis on disseminating international humanitarian law among members of the armed forces before any other target groups. To this end, the Red Cross Humanitarian Law Institute initiated a series of courses at national level in 1976: by the end of 1986 seven series of standard courses had been organized for instructor-officers of the Armed Forces and 16 series of courses for commanding officers from different units. The number of participants since 1976 amounted to nearly 2,000.

* The accession of the Republic of Korea to the four Geneva Conventions of 1949 took place on 16 August 1966. The Government, having signed the Protocols additional to the four Geneva Conventions on December 7, 1978, ratified the same instruments on January 15, 1982.

The National Society has also held seven rounds of National Seminars on International Humanitarian Law since 1973, attended by Red Cross members, university professors, government experts and senior officers of the armed forces. The themes of the seminars were as follows: the methodological approach to efficient dissemination of the Geneva Conventions (1973), contemporary problems of international humanitarian law applicable in armed conflicts (1976), development of humanitarian law and national responsibilities (1979), new codification of international laws concerning the prohibition or restriction of the use of certain conventional weapons (1980), implementation and dissemination of international humanitarian law (1981), development of international humanitarian law (1982) and implementation of the Protocols additional to the 1949 Geneva Conventions (1984).

The Institute also developed specific dissemination programmes among Red Cross members, especially young people.

Summaries of Red Cross Principles and the Geneva Conventions are taught as a compulsory subject to Red Cross Youth members, Red Cross volunteers and staff through various training courses which take place from time to time at the initiative of the Society's Training Institute or local Chapters.

In 1985, the Society gave courses on Red Cross Principles and ideals to 14 different groups of 597 staff members and to 229 classes of Red Cross orientation for 20,513 RCY members. The Society also conducted 56 rounds of teaching programmes on the Geneva Conventions for 3847 RCY members.

In order to disseminate humanitarian law among the general public, the Korean Broadcasting System (KBS) Radio gave a daily lecture on the Geneva Conventions by an expert staff member of the National Society from April 1976 to December 1982.

The Institute has issued many types of publications in Korean to make the Geneva Conventions better known to all target groups: the Korean Journal of Humanitarian Law (Vols. 1 to 7), and Korean versions of the Commentary on the Four Geneva Conventions of 1949, the Index of the Geneva Conventions, "Courses of Five Lessons on the Geneva Conventions", the International Red Cross Handbook, etc.

The Humanitarian Law Institute, whose director is Mr. Eun-Bum Choc, has an advisory committee on humanitarian law composed of eight international law professors from different universities and three government experts belonging to the Ministries of Foreign Affairs, Home Affairs and National Defence. The Institute co-operates with the Korean International Law Association.

Eighteenth Conference of Arab Red Crescent and Red Cross Societies

The Eighteenth Conference of Arab Red Crescent and Red Cross Societies was held in Doha (Qatar) from 2 to 5 March under the patronage of His Excellency Khalifa Bin Hamad Al Thani, Emir of the State of Qatar. The Conference was organized jointly by the Qatar Red Crescent Society and the General Secretariat of Arab Red Crescent and Red Cross Societies under the direction of Mr. Abdel Ghani Ashi, General Secretary.

The National Societies of the following countries were represented at the Conference: Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Kuwait, Libya, Mauritania, Morocco, Pakistan, Qatar, Saudi Arabia, Sudan, Syria, Tunisia, Turkey, United Arab Emirates, The Yemen Arab Republic, the People's Democratic Republic of Yemen and the "Palestinian Red Crescent". Representatives from several National Societies in Europe, Asia, Africa and the Americas, as well as from UNICEF, attended the Conference as observers.

The ICRC delegation included Mr. A. Hay, President, Mr. C. Sommaruga, President-elect, Mr. Amiguet, Mr. Nessi, Mr. Tschiffeli and Mr. Mériboute. The League was represented by Mr. E. de la Mata, President, Mr. H. Hoegh, Secretary General, Mr. Kisselev, Mr. Yalgin, Mr. Said Ali and Mrs. Camporini.

The opening session was marked by speeches from Mr. Ahmed El Ansari, the Qatar Minister of Labour and Social Welfare, who represented the Emir of Qatar, Dr. Ahmed Abou-Goura, Chairman of the Standing Commission of the Red Cross and Red Crescent, Mr. E. de la Mata and Mr. A. Hay. The ICRC President took the opportunity to bid farewell to the participants, thank them for their contributions and introduce his successor. He then spoke about ICRC activities in the Middle East. Mr. M. Amiguet, the delegate-general for the Middle East, enlarged on the President's report.

There was also discussion of the League's report on its activities in the Islamic world, of working documents presented by National Societies relating to humanitarian issues, of support for the "Palestinian Red Crescent", etc.

Following the discussions, the participants approved a number of resolutions, two of which concern the ICRC. The first, after paying tribute to the ICRC's work in the region, asks the institution to step up its efforts for the protection of civilians in southern Lebanon and in the occupied territories. Urging co-operation between the ICRC and the General Secretariat of Arab Red Crescent and Red Cross Societies, the Conference reaffirmed the National Societies' support for the ICRC in the application of the Geneva Conventions and the Principles of the International Red Cross and Red Crescent Movement. It asks Arab States to co-operate with the ICRC by facilitating its humanitarian activities and encourages the States which have not yet ratified the Protocols additional to the Geneva Conventions to do so.

The second resolution recommends that the National Societies take all necessary measures to prevent their members and the general public from misusing the emblem. This is in order to safeguard its capacity to provide protection.

It should be added that the Statutes of the Conference of Arab Red Crescent and Red Cross Societies were amended, and the General Secretary's term of office was extended from four to six years. It was also decided that the Conference will in future be held every year, alternately in an Arab country (Egypt in 1988) and in Geneva to coincide with the League General Assembly.

MISCELLANEOUS

Law and Humanitarian Ethics

An international conference on the subject of "Law and Humanitarian Ethics" was held in Paris from 26 to 28 January 1987. The Conference was organized by Médecins du Monde and the faculty of law at the University of Paris-Sud. Its opening session was attended by Mr. François Mitterrand, President of France, and its closing session by Mr. Jacques Chirac, the Prime Minister.

About 400 persons took part in the conference, which was addressed by some 50 speakers from French political and academic circles, non-governmental organizations, private agencies and the media.

The ICRC was invited to attend and was represented by Mr. Alain Modoux, head of the Information Department, and Mr. Jean-Daniel Biéler, deputy head of the Division of International Organizations.

The main aim of the Conference was to study the humanitarian activities of non-governmental organizations from the political, social, moral and methodological point of view, taking into account Western and Third World conceptions of human rights.

Reviewing the history of humanitarian assistance, Dr. Bernard Kouchner, honorary president of Médecins du Monde, identified three phases. First, there was Henry Dunant's creation of the Red Cross and assistance to wounded people and prisoners. Basically, the charitable drive, the desire to assist, is always present, as several speakers reminded their audience. A second generation of altruists began carrying out humanitarian activities during the 60s—doctors and nurses who both treat those in need and bring their plight to the attention of the rest of the world. Finally, recent years have seen the advent of movements which to a great extent depend on media coverage, reporting "live" from the scene and becoming embroiled in polemics. In view of these excesses, Dr. Kouchner felt that the time had come for all humanitarian organizations "to come

together and elaborate a code of ethics, a charter of basic rules for humanitarian aid”.

Recalling that the most fundamental human right was the right to life and that our primary duty was to assist people in danger, Mr. François Mitterrand underlined the challenge facing the humanitarian organizations of today—how to “reconcile” the law, recognized principles and the assistance required with the complexity of government structures, regulations, prohibitions and suspicions. The humanitarian organizations—those who uphold “the ethics of the extreme emergency”—must ensure that “international law show increasing recognition of the rights of the individual human being and that individual rights be not denied in the course of everyday life, that they be not denied by the law of States”.

These days, an ever-growing number of non-governmental organizations feel that they have a “right to take humanitarian action”, whereas any unilateral intervention is illegal because it violates national sovereignty. Some legal experts, including Mario Bettati, dean of the law faculty at Paris-Sud, felt that the victims of conflicts had an inalienable right to receive assistance when that assistance was purely humanitarian and intended to protect the right to receive care and the right to life. Dr. Bettati said that respect for and implementation of such a right, while not totally rejected by the States and international organizations, had not so far been formally recognized by the international community. He felt that it was time for such recognition, for the following four reasons: the scope of armed conflicts and natural, industrial and nuclear disasters; the speed and efficiency of private assistance; the practical application of the right to life and the right to health (Article 3 of the Universal Declaration of Human Rights) and, finally, the right to humanitarian assistance which is a corollary of the duty to show solidarity. This duty implies, among other things, the duty to co-operate, in accordance with the United Nations Charter (Articles 55 and 56). He therefore proposed that the participants adopt a resolution referring, among other things, to the existing rules of international humanitarian law and affirming “that both the right of victims to humanitarian assistance and the obligation of States and non-governmental organizations to contribute to and facilitate that assistance should be acknowledged by all of the members of the international community in a single international instrument”.

The Conference also dealt with other closely related topics presented in the form of questions, e.g. “Are human rights a

universal language?", "Are human rights exportable?", "Can human rights and humanitarian aid be imposed from outside?"

It is true, as Professor Guy Carcassonne pointed out, that there is a strong tendency these days within humanitarian organizations to act in the name of values stemming from Western civilization and to "promote what they would wish for themselves". This brings with it the risk of imposing rights which not everyone perceives as natural, even when "it is difficult not to view them as universal, not to attribute moral value to them".

The essential thing is to act quickly when help is needed, to take action because suffering and injustice are intolerable. Above all, humanitarian activities must be clearly distanced from political motives and 'manipulation' must be avoided.

That being the case, how can the conduct of humanitarian workers be defined? How can we deal with the emotions created in us by human suffering while, at the same time, remaining uncompromising in our denunciation of human rights violations? How can we keep the world informed without endangering our ability to come to the aid of the victims?

Several speakers were in favour of denouncing violations of human rights because, in many cases, firm and coherent protests had saved thousands of lives. This was the reasoning behind the call by Médecins du Monde to the medical profession, and medical students in particular, to complement the Hippocratic oath with the solemn commitment to speak out against any violation of human dignity.

Other speakers stressed instead the importance of taking direct action at government level and, more generally, the need for the work done by individuals or associations to complement that performed by public authorities.

As for the media, they provide new scope to individuals and non-governmental organizations. Without them, humanitarian work would be impossible. When they describe, or better, show an event, this leads to humanitarian action; in the same way, the media do much to ensure that the assistance is financed. This, however, does not alter the fact, as noted by Christine Ockrent, a journalist, that the relationship between the media and humanitarian work remains ambiguous. "The media are capricious and fickle", their priorities change. "Television has the means to cover an event but it is not capable of following the development over a long period". "Our eyes become used to the horror and our attention flags at the profusion of humanitarian undertakings. The

pictures of boat people and starving children move us and make us indignant—but they no longer surprise us. Our indignation is being exhausted. Thoughtful analysis must therefore take its place”. The media and the humanitarian agencies may also be rivals; so it is essential for all those who work in either field to co-ordinate their activities with great care.

Observing that humanitarian morality is not to be confused with human rights, but that the former cannot exist where the latter are trampled upon, Mr. Chirac, in closing the conference, declared his support for humanitarian ethics which he defined as “forgetting that which divides us and concentrating on the essential things which bring us together. “The ethics of the extreme emergency” are little different from ethics in the usual sense of the term, save that Good is embodied in the faces of the wounded, the starving and the oppressed, whoever they are and wherever they come from, whereas Evil is represented by their oppressors and even by all who employ bombs, whatever their motivation”.

Finally, the participants paid tribute to the work of the ICRC while stressing that, in their opinion, its discretion should be defined as one stage in the long march of humanitarian endeavour.

BOOKS AND REVIEWS

MANUAL OF THE TERMINOLOGY OF PUBLIC INTERNATIONAL LAW (LAW OF PEACE) AND INTERNATIONAL ORGANIZATIONS — ENGLISH, FRENCH, SPANISH, RUSSIAN *

Dr. Paenson's reputation is already well established. A highly cultured and experienced man, this distinguished linguist has given us the third volume in a series of really valuable manuals; the first two are devoted to economic and social terminology and statistics and the fourth volume, which is already in press and much looked forward to, will deal with the law of armed conflicts.

A specialist in multilingual terminology, in this field Dr. Paenson has perfected an original method which some have even described as "revolutionary" but which has undoubtedly proved its worth. Over and above day-to-day speech there is a host of specialized modes of expression concealed under the heading "national language": a legal expert does not use the language of a merchant and an engineer does not talk like a doctor. In one of these specialized languages the same term might have a quite different meaning in the other. Since together the terms relate to a given subject and are far from being a mechanical grouping of isolated words, they form an organic system within which each term has a fixed place. An appreciation of the relationships between individual terms is very important for understanding their meaning, which can be entirely defined only in their logical context. In so far as possible, this context must encompass all the essential terms in the given specialized language.

Besides providing an in-depth understanding of the meaning of the terms, presenting them in this way differs radically from the method used in almost all current dictionaries and glossaries and has other advantages.

* Isaac Paenson, *Manual of the Terminology of Public International Law (Law of Peace) and of International Organizations — English, French, Spanish, Russian*, published for the Graduate Institute of International Studies (GIIIS), Geneva, and the International Centre for the Terminology of the Social Sciences ("Intercentre"), Geneva; Emile Bruylant, S.A., Brussels, 1984, xlviii + 846 pp. (Foreword by Erik Suy, formerly Director-General of the United Nations Office at Geneva, Preface by Professor Christian Dominici, formerly Director at the Graduate Institute of International Studies, Geneva.)

It makes for comparing often differing and at times even contradictory definitions which are in current use in the Western world and in Socialist countries. This comparison, which is particularly helpful as regards legal terminology, is greatly helped by the fact that the text is laid out in four parallel columns (one for each language) and therefore the reader can see at a glance the equivalent terms in the Manual's four languages. The main terms are printed in bold-faced type in the main body of the text and appear again in the alphabetical indexes at the end. This is the only place where the terms have been placed in alphabetical order and, although it is convenient to find the terms, it is not a suitable place to explain them.

The Manual therefore fulfils two functions: it is an excellent summary of public international law which could even be used as the framework for a course; on the other hand, it serves as a dictionary containing approximately 3,000 specialized terms.

This monumental work, the fruit of considerable and clear-sighted labour, therefore constitutes a valuable working tool which will render great service not only to translators and interpreters but also to professors, civil servants, diplomats and students who directly or indirectly come up against public international law. Any legal library worth its name should possess a copy.

Jean Pictet

LES GARANTIES FONDAMENTALES DE LA PERSONNE EN DROIT HUMANITAIRE ET DROITS DE L'HOMME *

*"The thing is you readily agreed to give up hope,
whereas I never have."*

Albert Camus

This book is a thesis presented at the Faculty of Law of the University of Nice and written under the direction of Prof. Maurice Torelli. It was awarded the Paul Reuter Prize by the ICRC in 1985.¹

The author, Mohammed El Kouhene, a Moroccan jurist, works at present at the Independent Commission on International Humanitarian Issues.

* Fundamental guarantees of the individual in humanitarian law and human rights.

¹ Mohammed El Kouhene, *Les garanties fondamentales de la personne en droit humanitaire et droits de l'homme*, Martinus Nijhoff Publishers, Dordrecht, Boston/Lancaster, 1986 (French only).

Humanitarian law and human rights undoubtedly have something in common, witness their common ethical and spiritual roots. These two branches of international law serve the interests of the individual by defining fundamental guarantees to which he is entitled.

In a brief introduction, the author describes the origin and separate growth of human rights and of humanitarian law, as well as the various factors which in recent times helped bring these two branches of law closer together. Thanks to the Protocols, which provide for better protection in some situations, individuals who were protected under human rights when not covered by the Conventions are now entitled at least to the protection of the "fundamental guarantees". These coincide essentially with those rights which are inalienable under human rights instruments.

The main aim of the study is to show that, while constituting two distinct legal systems, human rights and humanitarian law are complementary and compatible to a marked degree.

The book is divided into three parts: complementarity by reason of the persons protected (Part I), the rights protected (Part II) and the implementing mechanisms (Part III).

In examining the concurrence of the two branches of international law with regard to protected rights, the author makes a detailed analysis of certain rights, most of which are included in both systems of law; these rights are irreducible and make up the «hard core» of the rights of the human person.

In the part dealing with the concurrence of implementing mechanisms, the author demonstrates the importance of knowing international humanitarian law and the vital need to make it known, a task that depends heavily on the goodwill of States which usually show scant enthusiasm for it.

In concluding his study, the author, mindful not to foster illusions, affirms that, fragile as it may be, law remains a weapon for the weak, a means of exploiting the "guilty conscience of the mighty", and that "it is not idealistic to assert the supremacy of a law which has been put into practice by all civilizations and respect for which affects not only wounded or sick soldiers or civilians in any particular conflict but the whole of mankind".

This interesting work is very soundly documented, containing numerous references and an excellent selective bibliography. Through its quality, the depth of its analysis and the fact that it approaches human rights from the point of view of humanitarian law, this book should bring to jurists, students and disseminators alike a wealth of unquestionably useful knowledge.

François Gillioz

LE PIÈGE *

Quand l'aide humanitaire remplace la guerre

The subjects dealt with in Rufin's book ¹—the misappropriation of humanitarian aid or its use for political ends, relief activities and publicity, the question of whether or not to denounce objectionable practices publicly—are issues of current importance. The author, who has himself done field work, starts his book with a brief history of humanitarian activities, the first of which, in the Western world, were carried out as early as the beginning of the 19th century.

More recently, in the 1970s, there appeared organizations “without frontiers”—initially doctors, followed later by all manner of professions—people who turned up on the fringes of conflicts in the Third World... and on TV. For these groups, the adoption of a political stance must accompany their work in the field. Through the mass media, they manipulate public opinion with no regard for law or discretion. These organizations, which often have huge sums of money at their disposal, are unfortunately all in intense competition with one another and, in the ardour of the race, publicity often outstrips performance.

Rufin denounces the *myth of political impartiality* in humanitarian aid, especially when destined for refugee camps. To be sure, displaced civilians do benefit from such assistance, but so do the combatants, who find «humanitarian sanctuary» in the camps where they can rest and take on supplies. This at least partial “misappropriation” of humanitarian aid is practised not only by guerilla movements but also by governments (the author cites examples of this in Kampuchea, Ethiopia and Nicaragua). Here Rufin advances one of his two main themes, that of the balance between usefulness and risk. “A government makes its territory accessible to emergency aid when, in its view, the *usefulness* of the aid exceeds the *risk* involved. And it closes its frontiers again when the risk appears to be too great” (p. 261).

Rufin's second major theme, which is similar to the ideas of Shawcross on the subject (see *Poids de la pitié*, Paris, 1985), is that humanitarian aid is an extension of politics or, more precisely, of diplomacy. Indeed, in a world where the two superpowers are approximately balanced, the aggression between them has more recently taken the form of exploiting *intranational* antagonisms. In this context, by undertaking new forms of international action to aid civilian populations (and action implies *control*, power over), “humanitarian activities play the role of diplomacy in these internal conflicts which are the present-day manifestation of the superpower struggle” (p. 282).

* The Trap — When humanitarian aid supersedes war

¹ Jean-Christophe Rufin, *Le piège. Quand l'aide humanitaire remplace la guerre*, J.-C. Lattès, Paris, 1986, 336 p.

At several points in the book, the author criticizes some Red Cross organizations, in particular the ICRC, which he takes to task essentially for having too great a respect for the law which, according to Rufin, paralyzes the organization and makes it a "hostage of the States" (p. 317). He considers that respecting the law merely strengthens the position of those who exercise power. There are times when one must break the silence and denounce government abuses. But Rufin, who obviously knows the "field" well, is aware of the price of that denunciation: the abandonment of the victims. Thus, he does not commit himself, leaving open the question as to which of these approaches he favours. The choice between relieving immediate, acute suffering and refusing to provide aid which would, at least partially, be used by an authoritarian or even dictatorial power constitutes an abiding dilemma, with regard to which no-one in fact is ever entirely in the right.

Le piège is a good book. Leaving aside the inaccuracies and generalisations which are almost inevitable in a book written without the benefit of hindsight, there are two aspects of Rufin's book which deserve criticism:

1. The book plunges headlong into the subject and seems to condemn the spread of the movements "without frontiers", but the reasoning is not carried to its logical conclusion: the author does not point out the danger posed by this proliferation of non-governmental organizations which are prepared to accept numerous compromises in order to be able to operate. In fact, it is this very diversity of institutions which works in favour of the host governments, giving them the opportunity to choose the organization that will be most favourable to it, which will be too weak to resist pressure from it. In the reviewer's opinion, only a strong institution, or a number of institutions upholding the same principles, can simultaneously carry out activities which truly assist the victims and, as is often the corollary, resist government pressure.
2. In his introduction, Rufin states that he will not deal with what he calls "the law of war", thus disregarding everything which according to him has bearing on prisoners of war. This makes for an unbalanced presentation of the ICRC's work. A more thorough discussion of international humanitarian law would show the importance of protecting the victims, the beneficial aspect of the law. If the victims do not benefit from this body of law (Rufin's argument, which is why he states that the work of the ICRC, so respectful of the law, does not always benefit the victims), then we should not be content to leave the situation as it is, or try to provide a remedy by sending medical teams into the bush by night; rather, we should create a body of law which truly protects the victims. Developing international humanitarian law and, above all, monitoring its application require of the ICRC, among other things, respect for the "rules of the game", that is, dialogue with the States. Such activity may well imply the breaking of silence in order to provide information, to

encourage further thought, to provide better assistance. But the effectiveness of humanitarian work cannot be measured primarily by the audience ratings nor by the clamour of the publicity-conscious. A commitment to aiding the victims requires modesty, tolerance and also, no doubt, a measure of silence.

The debate which Rufin would like to instigate is an important one. Great attention must be paid to the danger of humanitarian assistance being used for political ends. Rufin's book, more an outline than a thoroughgoing treatise (and the better for it!), represents a valuable contribution to the debate.

Jean-Luc Blondel

THE INTERNATIONAL COMMITTEE OF THE RED CROSS IN GREECE, 1967-1971 *

Dangerous ground

Many studies have been written on the issues relating to the protection of political detainees and to ICRC activities in favour of persons detained in their own countries.

Mr. Siegrist's study, an abridged version of the thesis presented for his doctorate in political science, is nevertheless of great interest, since the author—taking the specific case of the dictatorship in Greece as the starting point—attempts to draw conclusions which go far beyond the framework of that one conflict.

This readable and well-arranged book is divided into two distinct parts.

In the first, theoretical part, the author begins by recapitulating some basic themes, such as the origin of the ICRC, its aims, work and resources, and then turns to a highly sensitive and controversial issue—that of the ICRC's legal status. In a few densely-packed pages, Mr. Siegrist goes on to recall the origin of ICRC action in favour of political detainees, before examining the *legal bases* for such activities (the fundamental principles of the Red Cross, its doctrine, etc.).

* Roland Siegrist, *The protection of political detainees: The International Committee of the Red Cross in Greece, 1967-1971*, Ed. Corbaz, Montreux, 1985, 171 pp.; English.

The second part of the book is wholly devoted to ICRC activities in Greece from 1967 to 1971.

Following a brief account of the fundamental geographical and economic factors, the author describes the protagonists of the Greek political scene and evokes the circumstances which led to the military takeover on 21 April 1967.

After describing the approaches which finally enabled the ICRC to work in Greece and to visit persons detained there, the author makes a detailed analysis of the various protection activities undertaken by the ICRC. He stresses their most positive aspects, such as the fact that the ICRC quite rapidly gained access to the vast majority of detainees, but does not hesitate to point out the shortcomings and even errors in ICRC activities at that time.

In this connection, Mr. Siegrist gives a very interesting interpretation of the factors which induced the Greek authorities to end ICRC activities in the country three years before the fall of the dictatorship.

According to the author, the ICRC can contemplate a long-term involvement only if its activities benefit the authorities and the detainees alike. In his view, the Greek authorities decided to halt ICRC activities in 1971 because they felt that the agreement concluded with the ICRC in 1969 gave political detainees more advantages than the authorities themselves could hope to draw from it on the political level.

Although the situation in Greece was in many respects exceptional, Mr. Siegrist's analysis is very interesting and can be applied to the majority of ICRC actions for political detainees.

From the academic viewpoint, the book is very richly documented: in addition to an extensive bibliography, Mr. Siegrist has based his work on numerous unpublished documents from the ICRC's archives.

While it is unfortunate that—presumably for linguistic reasons—the author was unable to consult more Greek sources, it is impossible to overemphasize the great interest of the information the author obtained in the course of numerous interviews with persons directly concerned by the events.

Through its intellectual rigour, wealth of information and sound interpretations, this work will render invaluable service in the study of "Greece of the colonels", as well as in the more general study of ICRC activities in aid of political detainees.

Antoine Bouvier

STREET CHILDREN

A growing urban tragedy

This report for the Independent Commission on International Humanitarian Issues¹ deals with a long-standing yet hitherto largely unacknowledged problem: the street children, whose number has risen to over 30 million.

Published as a paperback by Weidenfeld & Nicolson Ltd, the report—an extremely comprehensive survey—is addressed, as stressed in the introduction by Sadruddin Aga Khan and Hassan bin Talal, Co-Chairmen of the Commission, “...not only to policy makers, but to the widest possible readership (young people in particular). Street children are primarily a matter for communities, not experts.”

In the prologue, Mrs. Agnelli, Convener of the ICIHI Working Group on Children, utters a cry of alarm: “Millions of street children who live alone, undernourished..., who are denied affection..., who survive by expedients... coalesce into gangs and re-invent a family, a structure they have never known, a security that always eluded them. Children... used unscrupulously by others, mistreated, imprisoned... who see grown-ups as their enemies. ... As the big cities grow, so will the number of street children. So will deprivation which begets frustration which begets violence.”

The report, fully corroborating her concern, first features the profiles of some street children and describes the geographic distribution of the phenomenon prevalent not only in developing but also in industrial countries where, although genuine street children are a rarity, street youngsters are far from rare.

After reporting on real-life cases, the authors assess the ravages caused by life in the streets, then go on to analyse the process of exclusion, the authorities' attitude and the many facets of humane response.

The last two chapters deal with prevention (various suggestions are made to this effect) and concrete action (including recommendations directed at governments, local communities and the media).

It is to be hoped that the study, which includes contributions by many persons famous throughout the world for their charisma, will achieve to the full its authors' objective: to increase awareness of the street children's plight and to encourage tangible action in support of the efforts made by a number of governmental and non-governmental agencies, both at national and international level.

Monique Esnard

¹ *Street children—A growing urban tragedy*, Report for the Independent Commission on International Humanitarian Issues presented by Susanna Agnelli, published by George Weidenfeld & Nicolson Limited, London, 1986, 123 pages.

NEW PUBLICATIONS

ITS (International Tracing Service—Service international de recherches—Internationaler Suchdienst)

The ICRC has just published two brochures with the above title, one describing the International Tracing Service as it is today and the other telling of its origin and development.

The International Tracing service was created in 1943 and given a mandate to gather, classify, preserve, and put to use individual documents relating to people persecuted by the National-Socialist regime under the Third Reich. The ITS has the task of providing documentary proof of the persecution of civilians who were imprisoned or sent to do forced labour during the National-Socialist era for reasons of race, religion, nationality, or moral or political convictions. The proof is supplied in the form of certificates or extracts from other documents. These are the only documents which are officially recognized by the authorities and can be used for compensation and pension claims. The ITS still receives every year 30,000 to 40,000 requests annually from about 35 countries and the resulting information is supplied to the victims themselves, their beneficiaries or to the authorities responsible for compensation and pensions.

The activities of the ITS are presented in detail with the aid of statistics, graphs, maps and photos, which effectively illustrate the Service's work.

The development of the role and organization of the ITS, which has been in Arolsen in the Federal Republic of Germany since 1946, is the subject of a special brochure modelled on the above-mentioned one. It relates the founding in London of a central tracing bureau in 1943 and the setting up of the International Commission for the ITS, with 10 member States: Belgium, France, Federal Republic of Germany, Greece, Israel, Italy, Luxembourg, Netherlands, UK and USA) whose task is to supervise the Service's work and co-ordinate the activities of the governments represented.

There is also an account, complete with reproductions of historic documents, of the negotiations between the Allied Powers and the Federal Republic which led to the Bonn Agreements of June 1955 under which the Federal Republic of Germany assumed financial responsibility for the ITS and the Service's exclusively humanitarian objectives were reaffirmed.

At the same time, there was an exchange of notes between the governments concerned relating to the future work of the ITS in which it was agreed that the International Committee of the Red Cross in Geneva would be responsible for administering the ITS.

These brochures are available from the ICRC in English, French and German.

ADDRESSES OF NATIONAL SOCIETIES

- AFGHANISTAN (Democratic Republic of) — Afghan Red Crescent Society, Puli Hartal, *Kabul*.
- ALBANIA (Socialist People's Republic of) — Albanian Red Cross, 35, Rruga e Barrikadave, *Tirana*.
- ALGERIA (People's Democratic Republic of) — Algerian Red Crescent, 15 bis, Boulevard Mohamed V, *Algiers*.
- ANGOLA — Cruz Vermelha de Angola, Av. Hoji ya Henda 107, *Luanda*.
- ARGENTINA — The Argentine Red Cross, H. Yrigoyen 2068, 10819 *Buenos Aires*.
- AUSTRALIA — Australian Red Cross Society, 206 Clarendon Street, *East Melbourne 3002*.
- AUSTRIA — Austrian Red Cross, 3 Gusshausstrasse, Postfach 39, A-1041, *Vienna 4*.
- BAHAMAS — The Bahamas Red Cross Society, P.O. Box N-8331, *Nassau*.
- BAHRAIN — Bahrain Red Crescent Society, P.O. Box 882, *Manama*.
- BANGLADESH — Bangladesh Red Cross Society, 684-686, Bara Magh Bazar, Dhaka-17, G.P.O. Box No. 579, *Dhaka*.
- BARBADOS — The Barbados Red Cross Society, Red Cross House, Jemmotts Lane, *Bridgetown*.
- BELGIUM — Belgian Red Cross, Chaussée de Vleurgt 98, 1050 *Brussels*.
- BELIZE — Belize Red Cross Society, P.O. Box 413, *Belize City*.
- BENIN (People's Republic of) — Red Cross of Benin, B.P. No. 1, *Porto Novo*.
- BOLIVIA — Bolivian Red Cross, Avenida Simón Bolívar No. 1515, *La Paz*.
- BOTSWANA — Botswana Red Cross Society, 135 Independence Avenue, P.O. Box 485, *Gaborone*.
- BRAZIL — Brazilian Red Cross, Praça Cruz Vermelha No. 10/12, *Rio de Janeiro*.
- BULGARIA — Bulgarian Red Cross, 1, Boul. Biruzov, 1527 *Sofia*.
- BURKINA FASO — Burkina Be Red Cross Society, B.P. 340, *Ouagadougou*.
- BURMA (Socialist Republic of the Union of) — Burma Red Cross Society, Red Cross Building, 42, Strand Road, *Rangoon*.
- BURUNDI — Burundi Red Cross, rue du Marché 3, P.O. Box 324, *Bujumbura*.
- CAMEROON — Cameroon Red Cross Society, rue Henry-Dunant, P.O.B. 631, *Yaoundé*.
- CANADA — The Canadian Red Cross Society, 95 Wellesley Street East, *Toronto, Ontario M4Y 1H6*.
- CAPE VERDE (Republic of) — Cruz Vermelha de Cabo Verde, Rua Unidade-Guiné-Cabo Verde, P.O. Box 119, *Praia*.
- CENTRAL AFRICAN REPUBLIC — Central African Red Cross Society, B.P. 1428, *Bangui*.
- CHILE — Chilean Red Cross, Avenida Santa Maria No. 0150, Correo 21, Casilla 246-V., *Santiago de Chile*.
- CHINA (People's Republic of) — Red Cross Society of China, 53, Gannien Hutong, *Beijing*.
- COLOMBIA — Colombian Red Cross Society, Avenida 68, No. 66-31, Apartado Aéreo 11-10, *Bogotá D.E.*
- CONGO (People's Republic of the) — Croix-Rouge congolaise, place de la Paix, B.P. 4145, *Brazzaville*.
- COSTA RICA — Costa Rica Red Cross, Calle 14, Avenida 8, Apartado 1025, *San José*.
- CÔTE D'IVOIRE — Croix-Rouge de Côte d'Ivoire, B.P. 1244, *Abidjan*.
- CUBA — Cuban Red Cross, Calle Calzada 51, Ciudad Habana, *Habana 4*.
- CZECHOSLOVAKIA — Czechoslovak Red Cross, Thunovska 18, 118 04 *Prague 1*.
- DENMARK — Danish Red Cross, Dag Hammarskjölds Allé 28, Postboks 2600, 2100 *København Ø*.
- DJIBOUTI — Société du Croissant-Rouge de Djibouti, B.P. 8, *Djibouti*.
- DOMINICAN REPUBLIC — Dominican Red Cross, Apartado postal 1293, *Santo Domingo*.
- ECUADOR — Ecuadorean Red Cross, Calle de la Cruz Roja y Avenida Colombia, *Quito*.
- EGYPT (Arab Republic of) — Egyptian Red Crescent Society, 29, El Galaa Street, *Cairo*.
- EL SALVADOR — Salvadorean Red Cross Society, 17C. Pte y Av. Henri Dunant, *San Salvador*, Apartado Postal 2672.
- ETHIOPIA — Ethiopian Red Cross Society, Ras Desta Damtew Avenue, *Addis Ababa*.
- FIJI — Fiji Red Cross Society, 22 Gorrie Street, P.O. Box 569, *Suva*.
- FINLAND — Finnish Red Cross, Tehtaankatu, 1 A, Box 168, 00141 *Helsinki 14/15*.
- FRANCE — French Red Cross, 17, rue Quentin-Bauchart, F-75384 *Paris*, CEDEX 08.
- GAMBIA — The Gambia Red Cross Society, P.O. Box 472, *Banjul*.
- GERMAN DEMOCRATIC REPUBLIC — German Red Cross of the German Democratic Republic, Kaitzerstrasse 2, DDR 8010 *Dresden*.
- GERMANY, FEDERAL REPUBLIC OF — German Red Cross in the Federal Republic of Germany, Friedrich-Ebert-Allee 71, 5300, *Bonn 1*, Postfach 1460 (D.B.R.).
- GHANA — Ghana Red Cross Society, National Headquarters, Ministries Annex A3, P.O. Box 835, *Accra*.
- GREECE — Hellenic Red Cross, rue Lycavittou, 1, *Athens 10672*.
- GRENADA — Grenada Red Cross Society, P.O. Box 221, *St. George's*.
- GUATEMALA — Guatemalan Red Cross, 3.^a Calle 8-40, Zona 1, *Ciudad de Guatemala*.
- GUINEA — The Guinean Red Cross Society, P.O. Box 376, *Conakry*.
- GUINEA-BISSAU — Sociedad Nacional da Cruz Vermelha de Guiné-Bissau, rua Justino Lopes No. 22-B *Bissau*.
- GUAYANA — The Guyana Red Cross Society, P.O. Box 10524, Eve Leary, *Georgetown*.
- HAITI — Haitian National Red Cross Society, Place des Nations Unies, B.P. 1337, *Port-au-Prince*.
- HONDURAS — Honduran Red Cross, 7.^a Calle, 1.^a y 2.^a Avenidas, *Comayagüela D.M.*
- HUNGARY — Hungarian Red Cross, V. Arany János utca, 31, *Budapest 1367*, Mail Add.: 1367 *Budapest 5*, Pf 121.
- ICELAND — Icelandic Red Cross, Noatun 21, 105 *Reykjavik*.
- INDIA — Indian Red Cross Society, 1, Red Cross Road, *New Delhi 110001*.
- INDONESIA — Indonesian Red Cross Society, Jl Jend Gatot subroto Kar. 96 Jakarta Selatan 12790, P.O. Box 2009, *Djakarta*.
- IRAN — The Red Crescent Society of the Islamic Republic of Iran, Avenue Ostad Nejatollahi, *Tehran*.
- IRAQ — Iraqi Red Crescent Society, Mu'ari Street, Mansour, *Baghdad*.
- IRELAND — Irish Red Cross Society, 16, Merrion Square, *Dublin 2*.
- ITALY — Italian Red Cross, 12, via Toscana, 00187 *Rome*.
- JAMAICA — The Jamaica Red Cross Society, 76, Arnold Road, *Kingston 5*.
- JAPAN — The Japanese Red Cross Society, 1-3, Shiba-Daimon 1-chome, Minato-Ku, *Tokyo 105*.
- JORDAN — Jordan National Red Crescent Society, P.O. Box 10001, *Amman*.
- KENYA — Kenya Red Cross Society, St. John's Gate, P.O. Box 40712, *Nairobi*.
- KOREA (Democratic People's Republic of) — Red Cross Society of the Democratic People's Republic of Korea, Ryonhwa 1, Central District, *Pyongyang*.
- KOREA (Republic of) — The Republic of Korea National Red Cross, 32-3Ka, Nam San-Dong, Choong-Ku, *Seoul 100*.
- KUWAIT — Kuwait Red Crescent Society, P.O. Box 1359 Safat, *Kuwait*.
- LAO PEOPLE'S DEMOCRATIC REPUBLIC — Lao Red Cross, P.B. 650, *Vientiane*.
- LEBANON — Lebanese Red Cross, rue Spears, *Beirut*.
- LESOTHO — Lesotho Red Cross Society, P.O. Box 366, *Maseru 100*.
- LIBERIA — Liberian Red Cross Society, National Headquarters, 107 Lynch Street, P.O. Box 226, *Monrovia*.
- LIBYAN ARAB JAMAHIRIYA — Libyan Red Crescent, P.O. Box 541, *Benghazi*.

- LIECHTENSTEIN* — Liechtenstein Red Cross, Heiligkreuz, 9490 Vaduz.
- LUXEMBOURG — Luxembourg Red Cross, Parc de la Ville, C.P. 404, Luxembourg 2.
- MADAGASCAR — Malagasy Red Cross Society, 1 rue Patrice-Lumumba, Antananarivo.
- MALAWI — Malawi Red Cross Society, Mahati Magandhi Road, Blantyre (P.O. Box 30080, Chichiri, Blantyre 3).
- MALAYSIA — Malaysian Red Crescent Society, National HQ, No. 32 Jalan Nipah, off Jalan Ampang, Kuala Lumpur 55000.
- MALI — Mali Red Cross, B.P. 280, Bamako.
- MAURITANIA — Mauritanian Red Crescent, B.P. 344, Avenue Gamal Abdel Nasser, Nouakchott.
- MAURITIUS — Mauritius Red Cross Society, Ste Thérèse Street, Curepipe.
- MEXICO — Mexican Red Cross, Luis Vives 200, Col. Polanco, C.P. 11510, México, D.F.
- MONACO — Red Cross of Monaco, 27 boul. de Suisse, Monte Carlo.
- MONGOLIA — Red Cross Society of Mongolia, Central Post Office, Post Box 537, Ulan Bator.
- MOROCCO — Moroccan Red Crescent, B.P. 189, Rabat.
- NEPAL — Nepal Red Cross Society, Tahachal Kalimati, P.B. 217, Kathmandu.
- NETHERLANDS — The Netherlands Red Cross, P.O.B. 28120, 2502 KC The Hague.
- NEW ZEALAND — The New Zealand Red Cross Society, Red Cross House, 14 Hill Street, Wellington 1. (P.O. Box 12-140, Wellington North.)
- NICARAGUA — Nicaraguan Red Cross, Apartado 3279, Managua D.N.
- NIGER — Red Cross Society of Niger, B.P. 11386, Niamey.
- NIGERIA — Nigerian Red Cross Society, 11 Eko Akete Close, off St. Gregory Rd., P.O. Box. 764, Lagos.
- NORWAY — Norwegian Red Cross, Drammensveien 20 A, Oslo 2, Mail add.: Postboks 2338, Solli, Oslo 2.
- PAKISTAN — Pakistan Red Crescent Society, National Headquarters, Sector H-8, Islamabad.
- PANAMA — Red Cross Society of Panama, Apartado Postal 668, Zona 1, Panamá.
- PAPUA NEW GUINEA — Papua New Guinea Red Cross Society, P.O. Box 6545, Boroko.
- PARAGUAY — Paraguayan Red Cross, Brasil 216 esq. José Berges, Asunción.
- PERU — Peruvian Red Cross, Av. Camino del Inca y Nazarenas, Urb. Las Gardenias — Surco — Apartado 1534, Lima.
- PHILIPPINES — The Philippine National Red Cross, Bonifacio Drive, Port Area, P.O. Box 280, Manila 2803.
- POLAND — Polish Red Cross, Mokotowska 14, 00-950 Warsaw.
- PORTUGAL — Portuguese Red Cross, Jardim 9 Abril, 1 a 5, 1293 Lisbon.
- QATAR — Qatar Red Crescent Society, P.O. Box 5449, Doha.
- ROMANIA — Red Cross of the Socialist Republic of Romania, Strada Biserica Amzei, 29, Bucurest.
- RWANDA — Rwandese Red Cross, B.P. 425, Kigali.
- SAINT LUCIA — Saint Lucia Red Cross, 2, Mongiraud Street, Castries.
- SAN MARINO — Red Cross of San Marino, Comité central, San Marino.
- SÃO TOMÉ AND PRÍNCIPE — Sociedade Nacional da Cruz Vermelha de São Tomé e Príncipe, C.P. 96, São Tomé.
- SAUDI ARABIA — Saudi Arabian Red Crescent Society, Riyadh.
- SENEGAL — Senegalese Red Cross Society, Bd Franklin-Roosevelt, P.O.B. 299, Dakar.
- SIERRA LEONE — Sierra Leone Red Cross Society, 6 Liverpool Street, P.O.B. 427, Freetown.
- SINGAPORE — Singapore Red Cross Society, 15, Penang Lane, Singapore 0923.
- SOMALIA (Democratic Republic) — Somali Red Crescent Society, P.O. Box 937, Mogadishu.
- SOUTH AFRICA — The South African Red Cross Society, 77, de Villiers Street, P.O.B. 8726, Johannesburg 2000.
- SPAIN — Spanish Red Cross, Eduardo Dato, 16, Madrid 28010.
- SRI LANKA (Dem. Soc. Rep. of) — The Sri Lanka Red Cross Society, 106, Dharmapala Mawatha, Colombo 7.
- SUDAN (The Republic of the) — The Sudanese Red Crescent, P.O. Box 235, Khartoum.
- SURINAME — Suriname Red Cross, Gravenberchstraat 2, Paramaribo.
- SWAZILAND — Baphalali Swaziland Red Cross Society, P.O. Box 377, Mbabane.
- SWEDEN — Swedish Red Cross, Box 27316, 102-54 Stockholm.
- SWITZERLAND — Swiss Red Cross, Rainmattstrasse 10, B.P. 2699, 3001 Berne.
- SYRIAN ARAB REPUBLIC — Syrian Arab Red Crescent, Bd Mahdi Ben Barake, Damascus.
- TANZANIA — Tanzania Red Cross National Society, Upanga Road., P.O.B. 1133, Dar es Salaam.
- THAILAND — The Thai Red Cross Society, Paribatra Building, Chulalongkorn Hospital, Bangkok 10500.
- TOGO — Togolese Red Cross, 51, rue Boko Soga, P.O. Box 655, Lomé.
- TONGA — Tonga Red Cross Society, P.O. Box 456, Nuku'alofa.
- TRINIDAD AND TOBAGO — The Trinidad and Tobago Red Cross Society, P.O. Box 357, Port of Spain, Trinidad, West Indies.
- TUNISIA — Tunisian Red Crescent, 19, rue d'Angleterre, Tunis 1000.
- TURKEY — The Turkish Red Crescent Society, Genel Baskanligi, Karanfil Sokak No. 7, 06650 Kizilay-Ankara.
- UGANDA — The Uganda Red Cross Society, Plot 97, Buganda Road, P.O. Box 494, Kampala.
- UNITED ARAB EMIRATES — The Red Crescent Society of the United Arab Emirates, Abu Dhabi.
- UNITED KINGDOM — The British Red Cross Society, 9, Grosvenor Crescent, London, S.W.1X 7EJ.
- U.S.A. — American Red Cross, 17th and D. Streets, N.W., Washington, D.C. 20006.
- URUGUAY — Uruguayan Red Cross, Avenida 8 de Octubre 2990, Montevideo.
- U.S.S.R. — The Alliance of Red Cross and Red Crescent Societies of the U.S.S.R., I. Tcheremushkinskii proezd 5, Moscow, 117036.
- VENEZUELA — Venezuelan Red Cross, Avenida Andrés Bello, N.º 4, Apartado 3185, Caracas.
- VIET NAM (Socialist Republic of) — Red Cross of Viet Nam, 68, rue Bà-Triêu, Hanoi.
- WESTERN SAMOA — Western Samoa Red Cross Society, P.O. Box 1616, Apia.
- YEMEN ARAB REPUBLIC — Red Crescent Society of the Yemen Arab Republic P.O. Box 1257, Sana'a.
- YEMEN (People's Democratic Republic of) — Red Crescent Society of the People's Democratic Republic of Yemen, P.O. Box 455, Crater, Aden.
- YUGOSLAVIA — Red Cross of Yugoslavia, Simina ulica broj 19, 11000 Belgrade.
- ZAIRE — Red Cross Society of the Republic of Zaire, 41, av. de la Justice, B.P. 1712, Kinshasa.
- ZAMBIA — Zambia Red Cross Society, P.O. Box 50 001, 2837 Brentwood Drive, Longacres, Lusaka.
- ZIMBABWE — The Zimbabwe Red Cross Society, P.O. Box 1406, Harare.